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J O U R N A L  
OF THE  
HOUSE OF REPRESENTATIVES,

OF THE  
STATE OF INDIANA,

DURING THE  
THIRTY-THIRD SESSION

OF THE  
GENERAL ASSEMBLY,

COMMENCING  
DECEMBER 4, 1848.

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INDIANAPOLIS:  
JOHN D. DEFREES, STATE PRINTER.  
1849.

*From the County of Clay.*—John T. Alexander.

*From the Counties of Clinton and Tipton.*—James Hill and Alex. M. Young.

*From the Counties of Daviess and Martin.*—Benjamin Goodwin.

*From the County of Dearborn.*—John D. Johnson and Alvin J. Alden.

*From the Counties of DeKalb and Steuben.*—Reuben J. Dawson.

*From the County of Delaware.*—Samuel Orr.

*From the County of Dubois.*—Benj. R. Edmonston.

*From the County of Elkhart.*—Matthew Rippey and Lovineus Pierce.

*From the County of Fayette.*—Thos. D. Hankins.

*From the County of Floyd.*—John B. Winstandley.

*From the County of Fountain.*—Finley L. Maddox.

*From the County of Franklin.*—John B. Campbell and Aaron B. Line.

*From the Counties of Fulton and Marshall.*—Enos S. Tuttle.

*From the County of Gibson.*—James W. Cockrum.

*From the County of Grant.*—Andrew J. Harlan.

*From the County of Greene.*—Richard H. Rousseau.

*From the County of Hamilton.*—Griffin M. Shaw.

*From the County of Hancock.*—Reuben A. Riley.

*From the County of Hendricks.*—David Wade.

*From the County of Henry.*—Martin L. Bundy and Wm. A. Rifner.

*From the Counties of Huntington and Whitley.*—Samuel Jones.

*From the County of Jackson.*—John L. Ford.

*From the County of Jefferson.*—Wm. M. Dunn and Henry Jackman.

*From the County of Jennings.*—Smith Vawter.

*From the County of Johnson.*—Gilderoy Hicks.

*From the County of Knox.*—Cyrus M. Allen.

*From the County of Kosciusko.*—Jas. S. Frazer.

*From the Counties of Lagrange and Noble.*—Elijah A. Webster.

*From the Counties of Lake and Porter.*—Benjamin N. Spencer.

*From the County of Laporte.*—Franklin W. Hunt and Willard A. Place.

*From the County of Lawrence.*—George W. Carr.

*From the County of Madison.*—Townsend Ryan.

*From the County of Marion.*—James P. Drake, Arthur S. Vance, and Henry Brady.

*From the County of Miami.*—Nathan O. Ross.

*From the County of Monroe.*—Samuel H. Buskirk.

*From the County of Montgomery.*—Henry T. Snook and David D. Nicholson.

*From the County of Morgan.*—Oliver R. Dougherty.

*From the Counties of Ohio and Switzerland.*—Daniel Kelso.

*From the Counties of Orange and Crawford.*—John W. Gillam and John W. Rice.

*From the County of Owen.*—David M. Dobson.

*From the County of Parke.*—John J. Meacham and Samuel A. Duvall.

*From the County of Perry.*—Robert G. Cotton.

*From the County of Pike.*—James R. Withers.

*From the County of Posey.*—Felix Mills and Hamilton S. Cas selberry.

*From the County of Putnam.*—Archibald Johnston and Dillard C. Donnohue.

*From the County of Randolph.*—Isaac F. Wood.

*From the County of Ripley.*—Richard Kelly.

*From the County of Rush.*—Robert S. Cox and John M. Huddleston.

*From the County of Scott.*—Hezekiah S. Smith.

*From the County of Shelby.*—Thos. A. Hendricks.

*From the County of Spencer.*—John W. Graham.

*From the County of Sullivan.*—Benjamin Wolfe and Silas Osborn.

*From the County of St. Joseph.*—William Miller.

*From the County of Tippecanoe.*—John Doyle and Peter Goldsberry.

*From the County of Union.*—George C. Starbuck.

*From the County of Vanderburg.*—Nathaniel J. James.

*From the County of Vermillion.*—Robert J. Gessie.

*From the County of Vigo.*—Thos. Dowling and Wm. K. Edwards.

*From the County of Wabash.*—Wm. T. Ross.

*From the County of Warren.*—James R. M. Bryant.

*From the County of Warrick.*—Abram Chambers.

*From the County of Washington.*—James A. Cravens and William Thompson.

*From the County of Wayne.*—Jacob B. Julian, David Commons, and Solomon Meredith.

On motion by Mr. Harlan,

The House proceeded to the election of Speaker, Messrs. Mer edith and Winstandley, acting as tellers.

On counting the first ballot, it appeared that—

George W. Carr received	-	-	-	-	48 votes.
Scattering,	-	-	-	-	44 votes.

Geo. W. Carr having received a majority of all the votes given, was declared Speaker of the House of Representatives, for and during the present session, and was conducted to the Chair by Messrs. Drake and Rousseau; and in a brief address returned his thanks to the House for the honor conferred upon him, and solicited their united co-operation in the work of legislation.

On motion by Mr. Meredith,

The House then proceeded to the election of Principal Clerk.

On counting the vote it appeared that—

Robert M. Evans received	-	-	-	17 votes.
S. S. Dunn received	-	-	-	8 votes.

John M. Lord received	-	-	-	-	24 votes.
John W. Dodd received	-	-	-	-	28 votes.
S. F. Covington received	-	-	-	-	8 votes.
Scattering,	-	-	-	-	7 votes.
Blank,	-	-	-	-	1 vote.

No person having received a majority of all the votes given, the House then proceeded to a second balloting.

On counting the vote it appeared that—

J. W. Dodd received	-	-	-	-	29 votes.
J. M. Lord received	-	-	-	-	22 votes.
R. M. Evans received	-	-	-	-	20 votes.
S. Dunn received	-	-	-	-	5 votes.
S. F. Covington received	-	-	-	-	15 votes.
Blank,	-	-	-	-	2 votes.

No person having received a majority of all the votes given, the House then proceeded to a third balloting.

On counting the votes it appeared that—

J. W. Dodd received	-	-	-	-	40 votes.
J. M. Lord received	-	-	-	-	18 votes.
R. M. Evans received	-	-	-	-	20 votes.
S. F. Covington received	-	-	-	-	13 votes.
Blank,	-	-	-	-	2 votes.

No person having received a majority of all the votes given, the House then proceeded to a fourth balloting.

On counting the votes it appeared that—

J. W. Dodd received	-	-	-	-	49 votes.
R. M. Evans received	-	-	-	-	17 votes.
S. F. Covington received	-	-	-	-	19 votes.
Blank	-	-	-	-	8 votes.

J. W. Dodd having received a majority of all the votes given, was declared duly elected Principal Clerk of the House for and during the present session, was sworn into office, and entered upon the discharge of his duties.

Messrs. John Doyle and Peter Goldsberry, members from the county of Tippecanoe, appeared, produced their credentials, were sworn into office by the Hon. James W. Borden, President Judge of the 12th Judicial Circuit, and took their seats.

On motion of Mr. Wolfe,

The House adjourned until 2 o'clock P. M.

**2 o'clock, P. M.**

The House met.

On motion by Mr. Edmonston,  
The House proceeded to the election of Assistant Clerk, Messrs.  
Edmonston and Edwards, acting as tellers.

On counting the votes, it appeared that—

Isaac Smith received	-	-	-	-	51 votes.
Charles N. Shook received	-	-	-	-	23 votes.
Beattie McClelland received	-	-	-	-	4 votes.
S. F. Covington received	-	-	-	-	10 votes.
Daniel A. Farley received	-	-	-	-	4 votes.
Scattering	-	-	-	-	1 vote.
Blank	-	-	-	-	1 vote.

Isaac Smith having received a majority of all the votes given,  
was declared duly elected Assistant Clerk of the House of Representa-  
tives, for and during the present session, was sworn into office  
by the Speaker, and entered upon the discharge of his duties.

The following message was received from the Senate, by Mr.  
Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have convened, elected Charles H. Test, Principal Secretary, Frank Emerson, Assistant Secretary, and Charles Warner, Door-keeper, and are now ready to proceed to legislative business.

Mr. George M. Lozier, member from the county of Dearborn,  
appeared, produced his credentials, was sworn into office, and took  
his seat.

On motion by Mr. Line,  
The House proceeded to the election of Door-keeper, Messrs.  
Wolfe and Julian, acting as tellers.

On counting the votes, it appeared that—

Thomas P. Miller received	-	-	-	3 votes.
——— Mayes received	-	-	-	1 vote.
——— Wiles received	-	-	-	2 votes.
G. W. Harrington received	-	-	-	2 votes.
Robert Gibson received	-	-	-	3 votes.
Peter Winchell received	-	-	-	1 vote.

W. H. Anderson received	-	-	-	4 votes.
William Sloan received	-	-	-	3 votes.
S. J. Johnson received	-	-	-	35 votes.
_____ Dawson received	-	-	-	1 vote.
Tho's H. Messick received	-	-	-	13 votes.
_____ Van Horn received	-	-	-	9 votes.
_____ Patten received	-	-	-	11 votes.
Tho's Harvey received	-	-	-	7 votes.
_____ Sturgeon	-	-	-	1 vote.
_____ Tyler received	-	-	-	1 vote.
Blank	-	-	-	1 vote.

Mr. Stephen B. Stanton, member from the county of Wayne, appeared, presented his credentials, was sworn into office, and took his seat.

No person having received a majority of all the votes given, the House then proceeded to a second balloting.

On counting the votes it appeared that—

Mr. Johnson received	-	-	-	-	40 votes.
Mr. Messick received	-	-	-	-	22 votes.
Mr. Donaldson received	-	-	-	-	8 votes.
Mr. Dale received	-	-	-	-	2 votes.
Mr. Miller received	-	-	-	-	2 votes.
Mr. Patten received	-	-	-	-	9 votes.
Mr. Anderson received	-	-	-	-	7 votes.
Mr. Van Horn received	-	-	-	-	5 votes.
Mr. Harvey received	-	-	-	-	2 votes.
Blank	-	-	-	-	1 vote.

No person having received a majority of all the votes given, the House then proceeded to a third balloting for the same; on counting the votes, it appeared that—

Mr. Johnson received	-	-	-	-	47 votes.
Mr. Messick received	-	-	-	-	40 votes.
Mr. Van Horn received	-	-	-	-	2 votes.
Mr. Donaldson received	-	-	-	-	5 votes.
Mr. Stevenson received	-	-	-	-	1 vote.
Mr. Patten received	-	-	-	-	3 votes.
Mr. Culbertson received	-	-	-	-	1 vote.

The names of W. H. Anderson and Thos. Harvey were withdrawn.

Mr. George P. R. Wilson, member from the county of Harrison, appeared, presented his credentials, was sworn into office, and took his seat.

No person having received a majority of all the votes given, the House proceeded to a fourth balloting.

On counting the votes, it appeared that—

Mr. Samuel J. Johnson received	-	-	-	51 votes.
Mr. Messick received	-	-	-	47 votes.

Mr. Samuel J. Johnson having received a majority of all the votes given, was declared duly elected Door-keeper of the House of Representatives, for and during the present session, was sworn into office, and entered upon the discharge of his duties.

On motion by Mr. Edmonston,

*Resolved*, That the Clerk inform the Senate that the House has convened, formed a quorum, elected George W. Carr Speaker, J. W. Dodd Principal Clerk, Isaac Smith Assistant Clerk, and Samuel J. Johnson Doorkeeper, and is now ready to proceed to legislative business.

On motion by Mr. Dobson,

*Resolved*, That a committee of two, on the part of the House of Representatives, be appointed, to act with a similar committee on the part of the Senate, to wait on his Excellency, the Governor, and inform him that the two houses have elected their officers, and are now ready to receive any communication he may be pleased to make to them, and to know at what time he will make such communication, and that the Senate be informed of the adoption of this resolution.

Messrs. Dobson and Dowling were appointed said committee on the part of the House.

On motion by Mr. Brady,

*Resolved*, That a committee of two be appointed on the part of the House, to act with a similar committee of the Senate, to respectfully request the Rev. T. R. Cressey to attend in the Hall of the House of Representatives, to-morrow morning at 10 o'clock, to address the Throne of Grace by prayer, on behalf of this General Assembly, and that the Senate be requested to reciprocate this resolution, and that seats be provided on the right of the Speaker's chair for their accommodation.

Messrs. Brady and Cox were appointed said committee on the part of the House.

Mr. Orr offered the following preamble and resolution :

WHEREAS, We have just cause to be thankful to the Father of all mercies and the Giver of every blessing which we enjoy ; AND WHEREAS, we have in a most distinguished manner, through the past season, been the recipients of all those blessings that are so well calcnlated to render a nation truly happy, such as abundant harvests, universal good health, and peace throughout all our borders ; AND WHEREAS, it is not only our most imperative duty to return thanks to Almighty God for past favors, but also most humbly

and earnestly to ask a continuance of the same, for He it is that governs the universe and wields the destiny of nations ; Therefore

*Resolved*, That this House will proceed, on to-morrow at 2 o'clock, to elect a Chaplain for this session, whose duty it shall be, by himself or by a substitute, immediately after the Speaker calls the House to order, and preceding the reading of the journal each day, to open the session with prayer. Said election to be by ballot, and to be governed by the law now regulating elections in this House.

Which was not adopted.

On motion by Mr. Edmonston,

The House adjourned until to-morrow morning at 9 o'clock.

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TUESDAY MORNING, DECEMBER 5, 1848.

The House met.

Mr. Ford offered the following :

*Resolved*, That the Doorkeeper be instructed to furnish each member with the Acts of 1847, and the Documentary Journal of the same year.

Mr. Wolfe moved to amend by inserting "the Revised Code of 1843, and the General Laws from the date of the revision to 1848."

Which amendment was adopted.

The question on the passage of the resolution was decided in the affirmative.

Mr. Huckelberry offered the following resolution :

*Resolved*, That the Standing Rules of the last House of Representatives be adopted for the government of business during the present Session, or until the same may be altered or changed, and that the Doorkeeper be directed to furnish each member thereof with a copy of the same.

On motion by Mr. Kelso,

The resolution was amended by adding in the first line after the word rules, " and Joint Rules."

And said resolution as amended was adopted.

Mr. Duvall offered the following resolutions :

*Resolved*, That the Reporters of the respective papers of this city be permitted to occupy seats within the bar of the House.

*Resolved*, That the Doorkeeper act as Sergeant-at-Arms during the present session.

The question being put on the adoption of the first resolution was decided in the affirmative.

The question being on the adoption of the second resolution,

The ayes and noes being demanded by Messrs. Kelso and Wolfe,

*Those who voted in the affirmative are :*

Messrs. Alden, Alexander, Blakemore, Brady, Bryant, Bundy, Campbell, Cockrum, Commons, Cotton, Cox, Chambers, Donohue, Dougherty of Morgan, Doyle, Dunn, Duvall, Edmonston, Edwards, Frazer, Ford, Gillam, Goldsberry, Graham, Hicks, Hill, Howell, Huddleston, Hughs, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Julian, Kelly, Lozier, Maddox, Meredith, Miller, Odell, Orr, Parker of Allen, Pierce, Rice, Rifner, Rippey, Rousseau, Smith, Spencer, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Winstandley, Withers, Wolfe, Wood, and Young—62.

*Those who voted in the negative are :*

Messrs. Allen, Barbour, Buskirk, Caldwell, Casselberry, Cravens, Dawson, Decker, Dobson, Dougherty of Boone, Dowling, Drake, Gessie, Goodwin, Hankins, Harlan, Hendricks, Huckelberry, James, Kelso, Line, Meacham, Mills, Nicholson, Osborn, Parker of Brown, Place, Ross of Miami, Ross of Wabash, Ryan, Shaw, Snook, Stanton, Starbuck, Wilson, and Mr. Speaker—36.

So the second resolution was adopted.

Mr. Julian introduced,

No. 1. A joint resolution relative to the further extension of slavery;

Which was read the first time, and ordered to a second reading on to-morrow.

Mr. Julian moved that the rules be suspended, and the joint resolution read a second time now.

The ayes and noes being demanded by Messrs. Kelso and Drake,

*Those who voted in the affirmative are :*

Messrs. Barbour, Bryant, Bundy, Cockrum, Commons, Cotton, Cox, Decker, Donohue, Dougherty of Morgan, Dunn, Duvall, Frazer, Goldsberry, Goodwin, Graham, Hankins, Harlan, Huddleston, Hunt, Jackman, Jones of Huntington, Julian, Kelly, Meacham, Meredith, Miller, Orr, Parker of Allen, Place, Ross of Wabash, Rousseau, Stanton, Starbuck, Tuttle, Vawter, Wade, Webster, and Wilson—39.

*Those who voted in the negative are :*

Messrs. Alden, Alexander, Allen, Blakemore, Buskirk, Caldwell, Campbell, Chambers, Cravens, Dawson, Dobson, Dougherty of Boone, Dowling, Doyle, Drake, Edmonston, Edwards, Ford, Gessie, Gillam, Hendricks, Hicks, Hill, Howell, Huckelberry, Hugh, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Kelso, Line, Lozier, Maddox, Mills, Nicholson, Odell, Osborn, Parker of Brown, Pierce, Rice, Rifner, Rippey, Ross of Miami, Ryan, Shaw, Smith, Snook, Spencer, Thompson, Vance, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—56.

So the rules were not suspended.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution :

*Resolved*, That the Senate will, the House of Representatives concurring therein, go into the election of a President Judge of the 12th Judicial Circuit on this (Tuesday) afternoon at 2 o'clock.

Also, I am directed by the Senate to inform the House of Representatives that the Senate have reciprocated the resolution of the House to appoint a joint committee to request the Rev. T. R. Cressey to attend in the Hall of the House to address the Throne of Grace by prayer on the behalf of this General Assembly, and Messrs. Hamrick and Morrison are appointed said committee on the part of the Senate.

On motion by Mr. Harlan,

The message from the Senate was taken up, and the resolution contained in the same was reciprocated on the part of the House.

On motion by Mr. Ford,

*Resolved*, That this House will, the Senate concurring therein, go into the election of Warden to the Indiana State Prison on Thursday the 7th inst. at 10 o'clock, A. M.

Mr. Brady made the following report :

MR. SPEAKER :

The committee appointed on the part of the House, to request the attendance of the Rev. T. R. Cressey to open the present session of the General Assembly with prayer, have performed that duty, and are authorized to inform the House that Mr. Cressey will attend in compliance with said request.

On motion by Mr. Dobson,

*Resolved*, That the Senate be invited to attend in the Hall of the House of Representatives, instanter, for the purpose of opening the present session of the General Assembly with prayer, and that seats be provided on the right of the Speaker's chair.

The Senate then came into the Hall of the House of Representatives, and took their seats on the right of the Speaker's chair, when the Rev. Mr. Cressey addressed the Throne of Grace by prayer.

A message from the Senate, by Mr. Emerson, their Assistant Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House to appoint a joint committee to wait on his Excellency the Governor, and inform him that the two Houses have elected their officers, and are now ready to receive any communication he may be pleased to make to them.

And Senators Randall and Harvey are appointed said committee on the part of the Senate.

The following message was received from his Excellency, the Governor :

EXECUTIVE DEPARTMENT,  
December 5th, 1848. }

*To the House of Representatives :*

GENTLEMEN :—Andrew J. Carr, Esq., of Clarke county, is hereby authorized to bear executive communications from the undersigned to the House of Representatives, during the present session.

JAMES WHITCOMB.

On motion by Mr. Harlan,

*Resolved*, That when this House adjourn this evening, it will adjourn to meet to-morrow at 2 o'clock, P. M.

Mr. Harlan offered the following resolution :

*Resolved*, That the order of business governing the last House of Representatives, be adopted for the government of the present House.

Which was not adopted.

A message from the Governor, by Mr. Carr, his Private Secretary:

MR. SPEAKER :

I am directed by the Governor to inform the House of Represent-

atives that the following bills, to-wit: "an act making the education of Deaf and Dumb persons in Indiana, free," and "an act making the education of the Blind in Indiana, free," which were passed at the last session of the General Assembly, were not presented to him until within less than the last five days before the final adjournment; and not then having the requisite time to make the necessary examination in consequence of the large number of bills then occupying his attention, he has as permitted by the Constitution on this day signed and approved the same.

JAMES WHITCOMB.

On motion by Mr. Ford,

*Resolved*, That the House will, the Senate concurring therein, go into the election of Secretary of State, on Friday, the 8th inst., at 10 o'clock, A. M.

Mr. Ford offered the following resolution :

*Resolved*, That the House will, the Senate concurring therein, go into the election of a United States Senator, on Monday, the 11th inst., at 10 o'clock, A. M.

Mr. Julian moved to amend by adding

"That the members of this House, will cast their votes for no man for Senator, who is not unequivocally pledged to oppose, in Congress, the further extention of slavery, in every shape in which the question may be presented."

Mr. Dawson moved an amendment to the amendment by adding :

"That it is the opinion of this House that the extension of slavery should in every constitutional way by the proper authority be resisted;"

Which amendment to the amendment was not adopted.

Mr. Harlan moved to amend the amendment by adding :

*"Provided*, That that man shall be the nominee of a pure democratic caucus."

On motion by Mr. Dobson,

All the amendments were laid on the table.

The resolution was then adopted.

Mr. Dobson made the following report :

MR. SPEAKER :

The committee appointed to wait on his Excellancy, the Governor, have performed that duty, and have received for answer, that he will deliver his annual message to-morrow (Wednesday,) at half past two o'clock, in the Hall of the House of Representatives.

On motion by Mr. Duvall,  
The House adjourned until 2 o'clock, P. M.

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*2 o'clock, P. M.*

The House met.

On motion by Mr. Harlan,

*Resolved*, That the Senate be invited to attend instanter in the Hall of the House of Representatives, for the purpose of electing a President Judge of the 12th judicial circuit of the State of Indiana; and that seats be provided for them on the right of the Speaker's chair.

The Senate then came in and took their seats on the right of the Speaker's chair, when both Houses in convention, proceeded by joint ballot to the election of President Judge of the twelfth judicial circuit, Messrs. Adams and Hendricks acting as tellers on the part of the Senate, and Messrs. Ford and Dowling on the part of the House.

On counting the votes,

James W. Borden received	-	-	-	-	92 votes.
John B. Howe received	-	-	-	-	45 votes.
J. —. Brackenridge received	-	-	-	-	2 votes.
Blank received	-	-	-	-	2 votes.

James W. Borden having received a majority of all the votes given, was, by the President of the convention, declared duly elected President Judge of the twelfth judicial circuit, to serve as such for the term of seven years, from and after the expiration of the term of service of the present incumbent.

The Senate then retired to their chamber.

The Speaker laid before the House the following communication :

INDIANAPOLIS, Dec. 5, 1848.

*To the Speaker of the House of Representatives :*

DEAR SIR.—The Trustees of the Indiana Asylum for the Education of the Deaf and Dumb have the honor of laying before you their fifth annual Report, and of informing you that copies of this

report will be laid to-morrow upon the desk of each member of the honorable Body over whom you preside.

Yours respectfully, on behalf of the Board of Trustees,

PHINEAS D. GURLEY,  
*President of the Board.*

Mr. Edmonston moved to lay the report on the table.

M. Hunt moved to print 1000 copies.

Mr. Kelso moved to have the report read ;  
Which was decided in the affirmative.

Mr. Dobson moved to reconsider the vote ;  
Which motion prevailed.

The question then recurring on laying the report on the table and printing 1000 copies ;

Was decided in the affirmative.

The Speaker laid before the House the following communication from the Board of Trustees of the Indiana University :

INDIANA UNIVERSITY, Nov. 30th, 1848.

*To the Speaker of the House of Representatives of the State of Indiana:*

SIR.—I have caused to be sent to you for the use of the House over which you preside, one hundred copies of the annual catalogue of the Indiana University. This catalogue is designed in part to form the annual Report, required by the last Legislature of the Board of Trustees of the University.

A report more specifically answering the points of inquiry enumerated in the act of last winter, I will have the honor to submit in a few days.

Very respectfully,  
D. H. MAXWELL,  
*Pres't. B. T. I. U.*

On motion by Mr. Buskirk,

A copy of the annual catalogue of the Indiana University was ordered to be placed upon the table of each member of the House.

Mr. Harlan introduced,

No. 2. A bill concerning the manner of electing United States Senator;

Which was passed to a second reading.

Mr. Julian introduced,

No. 3. A bill to incorporate the Williamsburg and Centreville Turnpike Company;

Which was passed to a second reading.

On motion by Mr. Cox,

The House adjourned until to-morrow, 2 o'clock, P. M.

WEDNESDAY, 2 o'clock, P. M., DEC. 6, 1848.

The House met.

On motion by Mr. Brady,

*Resolved*, That the Senate be invited to attend in the Hall of the House of Representatives *instanter*, to hear the message of his Excellency, the Governor, and that seats be prepared for them on the right of the Speaker's chair.

On motion by Mr. Barbour,

*Resolved*, That the House will, the Senate concurring therein, proceed on Saturday the 9th inst. at 10 o'clock, A. M., to the election of a President of the State Bank, to fill the vacancy occasioned by the expiration of the term of service of the present incumbent.

The Senate then came into the Hall and took their seats on the right of the Speaker's chair, when his Excellency, the Governor, attended by the joint committee appointed for that purpose, and in person delivered the following message in the presence of both Houses:

*Gentlemen of the Senate and of the  
House of Representatives :*

The annual retrospect of the affairs of our State, has at no former meeting of the General Assembly, exhibited more substantial cause for congratulation, than it does at present. While thousands have been smitten by pestilence in the Old World, we have never been favored with a greater degree of general health, than during the past year. While famine has visited some of its fairest portions, and scattered destitution and death in its progress, the products of our fields have never surpassed, if they have ever equalled, in amount, those of the same period. While capital *there* has continued its sure and constant encroachments upon the rights of labor, *here* has been a visable and steady increase of employment, and of its merited rewards. While pecuniary distress and bankruptcy have *there* crippled or destroyed thousands of apparently the best established houses, *here* has been witnessed a steady and extensive growth of sound and prudent enterprise, and of individual wealth and credit. *There* we behold man struggling with doubtful, or varied success, to recover his rights—the foundation of society heaving with commotion—the skill of the Statesman baffled—fields reddended with civil war, and the oldest governments tottering to their fall. *Here* we find that the structure of our simple and sublime institutions, based as they are in the affections, identified with the interests, and sustained by the will of a free and intelligent people, grows, as we trust, stronger and stronger with age.

We have been blessed with good order and domestic quiet—with the protection of mild and wholesome laws—with the preservation of our rights and privileges, both civil and religious, and finally, with the welcome exchange of the evils of war for the smiles of peace.

For these, and numberless other blessings, with which we have been so signally distinguished, among the nations of the earth, we owe to Almighty God, in whose hands are the destinies of nations, our reverent acknowledgments and hearty thanks.

The general prosperity existing at the delivery of my last annual message is believed not to have retrograded in any part of the Union, while the great agricultural interest of the country, constituting the bulk of its wealth, and comprising almost the entire means of Indiana, has continued surely and steadily to advance. So great an increase of the National wealth, derived from its legitimate sources, production and trade, under the adverse influences of war, is believed to be an anomaly in the history of nations.

Time has only served, indeed, to add strength to the conviction expressed in the message referred to, that our growing welfare is under Divine Providence mainly attributable to the wise change in the commercial and financial policy of the country within the last few years. And should that policy be suffered to continue, no doubt is entertained that the experience of the future will continue yet more and more to ratify the decisions of the past in favor of its wisdom, its justice, and its humanity.

The insecurity of property, happiness, and life, occasioned by the recent commotions in Europe, is adding at an increasing rate, by immigration and capital, to our own growing wealth and population. To those thus seeking a shelter among us, it is alike the dictate of sound policy and humanity to afford a home, and an ample scope for their industry and enterprise.

The desired opportunity for this is afforded in our surplus lands, and in the large addition to our territory acquired by the late treaty with Mexico; which from the causes alluded to, is, in my judgment, destined, under Providence, to be the abode of civilization and wealth at a much earlier period than has been generally supposed. Looking to the rapid growth of our present population, and the vast spread of our settlements, during the brief period of our National existence, during a period too when the causes referred to were far less operative than they now are, and when our unrivalled government itself was regarded but as an experiment, and this opinion will not, I trust, be regarded as visionary.

The acquisition of this territory has given rise to a question now occupying too large a space in the public mind to be passed over in silence. Its division into separate Governments, and the establishment of the necessary organic laws, must occupy the early attention of Congress, and the question is, shall this territory hereafter be free or slave territory.

Decided as the opinion of the people of Indiana is, against the

institution of human slavery, yet, they have ever manifested a determination not to interfere with the constitutional rights of any of our sister States on this subject. They love that glorious Union which was framed by the Conscript Fathers of the earlier days of the Republic, and to which under Providence we are indebted for our present eminence among the nations of the earth. But the present question does not regard slavery in the States or in any State. It refers solely to the propriety of its existence hereafter, in a territory now free. This territory has come to us free—it is now free, and in my opinion it should remain free, and that every constitutional and legal means should be adopted to continue it free. Nor do I think our Southern brethren would, in that case, have any well founded cause of complaint. Florida was ceded to the United Statee as slave territory, and so it was suffered to remain, and the same remarks will apply to the acquisition of Texas.

The ordinary expenses of the State Government, for the fiscal year ending on the 31st of October last were \$79,273,98.

The ordinary expenses for the current fiscal year ending on the 31st of October next are estimated by the Auditor at \$72,009.

The number of polls returned for 1848, estimating those in the county of Spencer (from which alone no returns have been received) the same as last year, is 136,265, this is an increase over the number of 1847 of 6,194, while the increase of 1847 over 1846 was only 2,762. The value of the entire property subject to taxation, as returned for 1848 (estimating in like manner and for the same reason for Spencer county) is \$128,960,986, being an increase over last year of \$4,350,545 while the increase of last year over 1846 was only \$1,908,506.

The amount of revenue paid into the State Treasury during the last year including a portion of the previous arrearages is \$412,748,74, being \$50,401,67, more than was paid in during the previous year.

The assessment for 1848 is for State purposes \$488,627,44 and for county, township, road and school purposes collectively, \$586,362,53. Add to these sums the uncollected delinquencies of former years, \$135,795,25 and the total amount of the duplicates for 1848 is \$1,210,785,22.

The rate of delinquency in the collection of the taxes assessed for 1847 is but \$14.75 on the \$100, while that on the assessment of 1846 was \$17 on the \$100. It thus appears that our fiscal affairs, as far as regards the present and prospective increase of revenue, are in a prosperous condition. This is paid by the people. Whether this condition of the Treasury will continue to be what it now is—a subject of just congratulation—must depend on the manner in which the money is expended; that is done by the Legislature.—Justice requires that we should be governed by as scrupulous a regard to economy in appropriating the money of the people as in disbursing our own. To this should be added the motive of *honor*,

as we are the exclusive guardians of the funds of the absent and confiding, and of gratitude to those to whom we are indebted for honors conferred.

This proposition is too obvious not to be generally admitted, and but little reflection is required to satisfy us that the same motives are equally applicable to questions of granting or disposing of public property, or of conferring special privileges or sectional advantages, the effect of which is to benefit a few at the expense of the many. Every citizen is entitled to all the advantages and immunities which are not inconsistent with the rights of others, and no more. The same remark will apply to towns and counties and other localities. The sentiment is much applauded, that in our intercourse with foreign nations "we should ask nothing that is not right, and submit to nothing that is clearly wrong." If that is a laudable rule, as applicable to independent nations, how much more obligatory between different sections or counties of the same State, inhabited by a kindred race, bearing the same burdens and having the same destiny. If undue advantages are obtained, of a sectional character, it affords to other quarters a plea for similar benefits. If these are refused it gives occasion for complaint, and if every part of the State is equally benefitted the burdens of all are equally increased, and each is at last left in the same condition as though its advantages had been separately purchased without the interference of the Legislature.

As the time for paying the semi-annual interest, on the State debt on the 1st of July last approached, there was not in the treasury as had been foreseen, the full amount necessary, for that purpose. Under a provision in the State debt bill it was competent for the State in that case to issue certificates bearing six per cent. interest, for the amount of the deficiency, to the public creditors severally, in proportion to their respective shares. When this provision was inserted in the bill it was apprehended, that so large an amount of treasury notes might in some years be received for taxes, as not to supply money enough to pay current expenses and the State debt interest, and that the credit of the State might continue too low to enable her to borrow the deficit, and thus prevent the payment of the interest with cash. The greater part of it needed last July, was already in the treasury. Whether certificates were issued or money borrowed, to supply the balance, interest would in either case and to the same amount accrue against the State, and exchange would also have to be procured to meet certificates thereafter due, as well as to forward funds in hand. But by paying the interest down, the additional expense and labor of issuing certificates would be avoided. As a mere measure of economy therefore, the latter was the preferable course. But when it was further considered, that (although authorized by the bill) the certificates issued would travel further or faster than the necessary explanation, and might so far affect the faith of the State as to diminish if it did not entirely prevent the surrendering of the remaining

bonds under the new arrangement, the course indicated seemed too plain to admit of hesitation. The requisite amount was accordingly borrowed of the Sinking Fund and of several of the branches of the State Bank to be repaid on the 1st of January next from the newly collected revenue.

From motives of economy and sound policy it is designed to make up the deficiency, which may be found to exist in the treasury on the 1st of January and 1st of July next respectively, in the same manner, that is to say, by making a loan in anticipation of the subsequent receipts; and the course adopted has been thus fully explained, in order that if it should not be favored, the legislative will, may at any time be expressed for the future guidance of the proper functionaries; this course has been the more readily pursued, because a great aversion was felt to increase the funded debt of the State, by issuing more certificates, and because it is confidently believed that by the third, certainly by the fourth payment of half yearly interest, all arrears will be overtaken. For according to the estimate of the Auditor who gives the details after making all the ordinary expenditures during the current fiscal year, and after redeeming the estimated amount of \$100,000 of treasury notes, principal and interest there will be left applicable to the payment of the interest on the public debt \$206,000 00, from which deduct the loan for the interest of July, 1848,

\$40,000

Also the probable sum needed to pay the interest and ex-

change for January, 1849,

\$95,000

And the same amount for July, 1849, 95,000 equal to \$230,000.— This would leave a deficit next July of only \$24,000. This small balance, it is safe to presume, would be overcome by the increased receipts into the Treasury by the 1st of January following. But as the revenue is not actually payable until the latter part of the winter, it is calculated that such would be the result by the 1st of July, 1850, beyond a doubt.

In this calculation, however, it must be borne in mind that no estimate is made for grants of money from the Treasury, to individuals, or other unusual appropriations of which there has been a marked increase, within the last two years. Two bills of this character were passed at the last session, on the face of which, the amount claimed did not appear; that was left to be determined by commissioners to be appointed for that purpose, thus virtually permitting a suit to be brought against the State. The commissioners in one of those cases, having decided in favor of the claimants, they, after an appeal was taken on the part of the State, took one themselves, to a court holding an earlier session, which taking jurisdiction of the cause upon the appeal, gave judgment against the State for \$13,493 36. In pronouncing the judgment, the court laid stress on what it regarded as an admission made on the part of the State, by the Legislature, in the preamble of the bill, against her own interests, and which it is believed could not have been established by evidence in the absence of such admission. Application

was immediately made to the Auditor, by the claimants, for a warrant on the Treasury for the full amount of the judgment, but the counsel employed on the part of the State, under instructions which I felt it my duty to give, have removed the cause to the Supreme court, where it is now pending for final decision. Although commissioners were appointed under the other bill, yet no proceedings by them have as yet been had.

If the amount claimed under that bill should be allowed, it will exceed \$20,000. This, with the judgment already rendered, if the same should be ultimately sustained, will amount to nearly one half of the ordinary expenses of the State, as estimated by the Auditor, for the last year. My objections to the passage of both these bills, communicated according to the forms of the constitution, are to be found on the journals of last session, and this reference to the subject is now made, therefore, mainly for the purpose of recommending, that, inasmuch as all such grants of money from the treasury must inevitably, sooner or later, cause an increase of taxes to pay them, such increase should be imposed by the Legislature which grants the money, and at the same session at which it is granted. This would have the effect of making the members of each session responsible in appearance as they are in reality, for the increased taxes occasioned by such grants; of inspiring caution, and of enabling the Auditor and Treasurer to rely on their estimates to meet indispensible engagements, and of sustaining the public faith. The non-observance of this rule has heretofore been the source of most of the evils, of a financial character, which has weighed down the energies of our young State. Millions were expended, sown broad-cast by former Legislatures, leaving to their successors the odious duty of imposing the taxes thus occasioned, and to the people the unmitigated burden of paying them. Had the ability of the State for the proposed enterprise been tested, by the expenditure of no more money upon it than could, from time to time, be realized in advance, from actual taxation, the experiment must necessarily have soon been abandoned, with but comparatively trifling expense, and no lasting injury would have remained.

Recovering as we now are from the evils of a contrary policy, it is surely but reasonable to hope that we may profit by experience, and avoid every occasion of increasing the public debt upon those who are to follow us. On the contrary I am clearly of the opinion that it is the true policy of the State, at the earliest period at which she is able, to create a surplus in the treasury, however small it may be, and make it applicable to the redemption of the funded debt, and thus afford the gratifying assurance that our liabilities are every year becoming less, and that at no distant period they will be entirely extinguished. A handsome overplus might be secured for this object, without any increase of the rate of taxation, by merely so improving our revenue system, as to place on the assessment rolls that large amount of invisible wealth, consisting of stocks, cash at interest, and various kinds of personal property which, by

escaping assessment under the present law, leaves on the farming community whose lands cannot escape notice, a more than due share of the public burdens. The exemption of a part from taxation is a fraud upon the residue. The object can be sufficiently, if not better attained by imposing a pecuniary penalty on such as withhold property from taxation, than by administering oaths which expose to temptation and crime, and which already, by their frequency of requirement, are but too well calculated to diminish if not destroy all regard for their nature and obligation. Let the penalty proposed be in proportion to the amount of taxables withheld from assessment, and sufficient to justify a summary proceeding for its recovery. The subject in some of its aspects was referred to more in detail in my last annual message, to which you are respectfully referred. It is one of much importance, and is urgently recommended to your early and favorable consideration, in the hope that the present session may not close without the needed action on your part.

It is with unfeigned reluctance that another topic is approached; that of the growing amount of our legislation, and especially of our local and private legislation. Having given my views in regard to this subject in my first inaugural address, having again called attention to it in my annual message in December, 1845, and having repeated it at every session since, it would certainly not be again presented, were it not for a deep conviction of duty, arising from the constant, regular, and rapid growth of the evil. This will be manifest from a comparison of the number of large octavo pages of printed matter occupied by the general laws, as distinguished from those of a merely local or private character, passed at the last five sessions of the Legislature. The number of pages of general laws passed at those sessions respectively, commencing with that of 1843-4 are consecutively, 122, 92, 135, 164, and 125, while the pages of a local or private character are, 180, 301, 365, 431, and 636 respectively.

Thus while the amount of our general legislation has for the last five years remained nearly stationary, that of local and private character has, within the same period, advanced more than three hundred and fifty per cent. The bills and joint resolutions, passed at the last session, were over six hundred in number, averaging more than four bills to each member, and more than thirteen for each working day of the session. Besides these were the numerous bills which were introduced, but failed of passage for want of time, or other causes. This immense mass of legislation is not only calculated to lengthen the session—to increase the labor of the members—to interfere unjustly with the rights of absent individuals, and to render the law complex and uncertain, but it serves by occupying the mind and distracting the attention, to hazard the passage of dangerous measures of a general character. And if the proper examination of thirteen bills every day for six or seven weeks successively is an unreasonable task for the mind of the legislator, what shall be said of the condition of the Governor who is

expected to personally examine all of them before signing; and when the far greater portion of them linger in their passage, until but a few days are left towards the close of the session within which to perform the accumulated labor? But the condition of the citizen, he for whom all this is done, is far worse. He is responsible for his presumed knowledge of the law, and to acquire that knowledge in reality he is compelled to search for it in a wilderness of enactments, and to turn over a new and larger volume every year, fraught with repeal, with change, and with burdensome additions.

For the last five years, the amount of legislation of each session has exceeded that of the previous one, at about the same rate, until the local and general laws passed at the last session have grown into an unwieldy volume of *seven hundred and sixty-one pages*.

What is the remedy for this growing evil?

But little reflection is required to satisfy us that it will continue to increase until a remedy is applied. In my last annual message, occasion was taken to recommend the passage of general laws, under which more appropriate tribunals should be clothed with the necessary powers to afford the relief now sought for by means of most private and local statutes. This is perhaps the only reliable remedy of which the evil is susceptible. It is not intended to deny the expediency of having a diversity of *subordinate* regulations, varied by the interests, habits, and wishes of different parts of the State. We already have an illustration of that diversity, exhibited in the by-laws and ordinances of different towns and cities, and in the buildings, taxes, and other matters of internal economy, of the different counties. It is only contended that the outlines, or general statutes, under which such diversity may exist, should, like that under which the counties now exercise their discretionary powers, be general and uniform. But while it is very desirable that the Legislature should pass such general laws, yet the most thorough conviction is felt that the remedy can only be ensured by an amendment of the constitution, expressly prohibiting the action of the General Assembly on specified subjects of a local and private character, and making it the duty of that department to confer from time to time upon county boards, or other subordinate functionaries, the requisite powers.

The value of the remedy proposed, derives confirmation from the fact that a provision of a similar kind was engrafted in the Constitution of New York, at the time of its amendment in 1846.

If calling a Convention to amend the Constitution were productive of no other result, than furnishing an effectual remedy for this growing evil, it would be abundantly justified. But in addition to that, there is a growing desire, that the sessions of the Legislature should, as in some other States, be held not oftener than once in every two years, unless specially convened in cases of emergency.

Such a feature, in our State Constitution, would lessen the expenses of Legislation nearly one-half, and thus save the expenses

of the Convention itself, within the first two years; and it would afford a better opportunity to the people of knowing what the laws are, before they are modified or repealed.

It is also to be desired that the Constitution should be so amended, as to prohibit the creation of any public debt, except under restrictions as to amount, and object. Years of prosperity may cause the severe lesson we have been taught on this subject to be forgotten, and we can not too strongly guard against a recurrence of similar improvidence.

Akin to this, in principle and policy, would be an amendment requiring, for the passage of every bill granting money from the Treasury, or public property to individuals, a majority of two-thirds, in each house, of all the members elected. In that case, a claimant would still be left in a better position for success before the Legislature, than before a jury of his countrymen, where a unanimous verdict is required, besides the burden of sustaining his claim by legal proof.

Such a feature is found in the Constitution of the State, already referred to, and it may be safely affirmed that a claim that will not commend itself to the approval of two-thirds of the representatives of the people should not be allowed.

But although an amendment of the constitution, on these and some subordinate points, is regarded as highly promotive of the public good, yet I think no convention for that purpose should be called unless first authorized by a direct vote of the people.

The opinion has been expressed that by the eighth article of the present constitution, the people have no right to vote upon this question, except in every twelfth year thereafter. But it seems now to be generally admitted that that article is directory and not permissive.

In framing the constitution, it was doubtless borne in mind that the future condition of the State might require corresponding modifications of that instrument. But by securing to the people the privilege of voting upon the question every twelfth year, their power to exercise that right in any other year for which their representatives should make suitable provision, was not taken away. If it was taken away, it was competent, by lengthening the interval for the vote to any imaginable extent, to virtually bind posterity in all future time and prevent any amendment whatever.

The present time is believed to be propitious for moving in this question. We have just left behind us the excitement of a national election. If the vote directed to be taken at the election next August, should be in favor of a convention, the duty would devolve upon the Legislature at the next session, (that of 1849-50,) to provide by law, for the election of delegates at the following general election. The convention might be held during the following autumn, and the people would then have the opportunity of ratifying or rejecting the amendment at the August election, in 1851. Thus the whole question would be disposed of before the Presidential

election of 1852, which would not be the case, if the initiative should not be taken during the present session. It is difficult to find a citizen who is not in favor of some amendments to the constitution, and the only, or nearly the only opposition to the measure, is the fear that others would be made more than counterbalancing the advantage. But in no instance has the constitution of any other State been amended, (and the instances have already been many,) in which it is not almost universally regarded as an improvement, and it can hardly be supposed that Indiana would be an exception.

It is therefore respectfully recommended that provision be made at the present session for submitting this question, to the decision of the people at the general election, in August next. This question it will be borne in mind, was voted upon at the election of 1846, and the returns made to the Secretary of State showed that 32,521 votes were cast for, and 27,485 votes were cast against it, being a majority of 5,036 in favor of calling a convention. The vote was small, but if it indicated any thing, it was that the popular will favored the measure.

The next Legislature, however, declined, and perhaps properly so, to provide by law for calling a convention, and mainly, it is presumed, because the vote was far from being a full one, being less than one half of that cast for officers at the same election, and because no returns whatever were made from thirteen counties. My information since that time leaves a strong conviction on my mind, that a large majority of the people are now in favor of the measure.

The official business of the Quarter Master General, since his last annual report, has not been of such a character, in his opinion, as would require a special communication at this time. That of the Adjutant General is herewith submitted, and will doubtless receive from you the requisite consideration.

The Hospital for the Insane is at length in successful operation, under the charge of a skilful and humane superintendent, Dr. R. J. Patterson, late of the Lunatic Hospital of the State of Ohio.

The edifice has been so far completed as to furnish accommodation for about fifty patients, but as more than that number have already applied for admission, the Superintendent has been under the painful necessity of refusing some for want of room. When completed, the institution will hold in all about two hundred patients. The buildings so far have cost about \$50,000, and it will require about \$14,000 more to complete them. As they will then accommodate four times the present number of patients, and as the chances for recovery are far greater in the early than in the latter stages of insanity, motives of sound economy as well as of humanity, concur in urging the speedy completion of the work.

The Institute for the Blind has been in operation only since the first of October, 1847, and has up to this time received thirty-one pupils, being a larger number, it is understood, than have ever been

received within the same period after its commencement, by any similar Institution in the Union, although located in far more populous States. Besides instructing the pupils in their appropriate studies, a part of the system consists in teaching them useful occupations; thus preventing their becoming a burden to society, and affording them the means of enjoying that health and happiness which is to a greater or less extent denied to those who spend their lives in inaction. Finding themselves unable longer to procure rooms of suitable dimensions and construction, the Board proceeded to erect upon the grounds belonging to the Institute, such part of the permanent buildings as will answer for a few years, and until their means will justify their completion. By this means the Board are already able to accommodate a much larger number than formerly, as well as in a better manner.

The Institution for the education of Deaf Mutes, continues to improve in usefulness. It already numbers ninety-two pupils, being an increase of twelve since the last annual report, and constituting a larger number in proportion to the entire population than is found in the like establishment of any other State in the Union. The history of charitable institutions generally, and especially when sustained at the public expense will show, it is apprehended a tendency (certainly not a necessary one) to unnecessary expenditure; and this indicates the quarter towards which supervision should be mainly directed. Experience teaches us that it is much easier to multiply subordinate employments and to originate other modes of extravagance in such establishments, that to lop them off when found unnecessary. It is therefore the more gratifying to be able to state, from information derived from the present Superintendent, that a commendable reduction has been made in the expenses in the Steward's department of this Institution, to the extent of four hundred dollars per month, as compared with similar expenses previous to the 12th of April last, when the office of Steward was abolished, and its duties cast upon the Superintendent. Notwithstanding a large and commodious edifice for the accommodation of the pupils, is now in course of construction, yet in consequence of this saving, it is understood, that it will not be necessary to increase the present rate of taxation for that object.

It may be remarked, in conclusion, that with the increased prosperity of the State, are multiplied the inducements to deviate from that system of rigid economy, and prudent foresight, without which, we can not hope for its continuance; and it is trusted that we shall be fully impressed with the necessity of its observance, as promotive of the interest and happiness of those who have honored us with their confidence.

JAMES WHITCOMB.

*December 6th, 1848.*

A message from his Excellency, the Governor, by A. J. Carr, his private secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that the following bills, to-wit: No. 146, entitled "An act to incorporate the Indiana Canal Company," and No. 461 entitled "An act to incorporate the Henry County Turnpike Company," which were passed at the last session of the General Assembly, were not presented to him until within less than the last five days, before the final adjournment, and not then having the requisite time to make the necessary examination, in consequence of the large number of bills then occupying his attention, he did on this day, as permitted by the constitution, approve and sign the same.

A message from his Excellency, the Governor, by A. J. Carr, his private Secretary :

MR. SPEAKER :

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I am directed by the Governor to inform the House that he has this day returned, with his objections, "No. 159. An act to incorporate the Madison and Cross Plain Turnpike Company," and "No. 422. An act in relation to that portion of the Northren Division of the Central Canal which lies between Broad Ripple in Marion County, and Waverly in Morgan County," which were passed at the last session of the General Assembly, and were not presented to him until less than within the last five days, before the final adjournment.

Dec. 6, 1848.

*To the House of Representatives:*

GENTLEMEN.—The accompanying bill entitled "An act to incorporate the Madison and Cross Plains Turnpike Company" was passed at the last session of the General Assembly, but not having been presented to me for approval until within the last four days before the final adjournment, the same is now returned as provided by the constitution, with my reasons for withholding my signature.

I am fully sensible of the benefits resulting from the construction of works of the character of those authorized by the bill. My wishes are strongly enlisted in favor of their successful prosecution, and I shall consequently take pleasure in giving all needful co-operation for the attainment of that object, if the same can be done consistently with the paramount rights of the public.

In this bill, however, there is a provision authorizing the Boards of Commissioners of the different counties, through which it is in contemplation to lay the turnpike, to subscribe stock towards its construction in behalf of their respective counties.

The reasons of my dissent from this poliey, were indicated on the

occasion of returning, at the last session with my objections, a bill entitled "An act for the relief of the White Water Valley Canal Company," which will be found in the Journal of the House (pp. 341), and to which I beg leave respectfully to refer.

The opinions then entertained have only gathered strength by subsequent reflection. Waving other objections at that time, the specific ground on which my disapproval of that bill was based, was, that the people were not allowed an opportunity of confirming or of rejecting the subscription of stock except by attending at a single precinct in each county, viz: at the court house, for the purpose of voting.

In the bill now returned, however, there is no provision for allowing the people of the counties, an opportunity of voting, even at one precinct, whether the stock shall or shall not be taken. As it is for their benefit that the stock is presumed to be taken, and as it must be paid for from their pockets, I feel sure that a provision giving them the opportunity alluded to, would have been inserted in the bill, if the matter had suggested itself during its progress in the two Houses.

The bill is therefore respectfully returned, in the hope that the defect may be supplied, and the bill be put on its passage early in the present session.

I desire to add in justice to myself, however, what may easily be inferred from the message of last session, to which reference has already been made, that I feel a decided repugnance to the policy of counties taking stock, or making investments, in any enterprise or business not strictly within the scope of their civic organization.

To what extent such a policy must prove injurious, would of course depend upon the number of counties engaging in it, and the amount of their investments.

The approval of such a policy by the voters of a county, would of course not change its effect for good or for evil; but as I have heretofore withdrawn all objections, when a free opportunity was afforded to them to give or withhold such approval, I feel disposed to defer to their action in the premises.

JAMES WHITCOMB.

Dec. 5th, 1848.

*To the House of Representatives:*

GENTLEMEN.—The bill entitled "An act in relation to that portion of the Northern Division of the Central Canal, which lies between Broad Ripple in Marion county, and Waverly in Morgan county," passed at the last session, but not presented to me for approval until the day next before final adjournment, is now respectfully returned to the House in which it originated, with the objections occurring to my mind, to its becoming a law.

The bill appoints three persons as commissioners, "to settle and adjust all accounts and matters of difference" between the State

and the several lessees of water power on the part of the canal indicated in the title.

This is in effect, authorizing a suit to be brought against the State, and occasion was taken in my message of last session returning to the Senate the bill for the relief of Jesse Beard and Elias L. Beard, (Journal pp. 513,) to submit reasons why it was thought this should not be done. In that case, however, the commissioner was not as in the present case, appointed in the bill. As a general rule, it seems to me, that this is exceptionable.

It affords an opportunity of appointing persons whose opinions have been formed and expressed. Independently of this, the State is almost sure to suffer injustice in such proceedings. Individuals stimulated by self interest, show more energy in conducting their part of the investigation, and more skill in securing sympathy, than can be shown by the comparatively helpless State. But ample provision already exists for making a settlement.

The leases or contracts are clear and specific in their terms. The quantity of water to which each lessee is entitled under his contract is fixed by an unerring rule. The amount of the rent is estimated by the contract, which also provides that the partial or total deprivation of the water power leased, by the act of the State or its agents or by inadequate supply, shall be no cause of complaint, unless extended beyond one month in every year. And if so extended, the lessee is merely exonerated from paying rent during the additional time, without being entitled to damages.

The present agent or superintendent is authorized to make a settlement with any lessee on these terms, and they are the terms of the contract.—[Acts of 1845-6, pp. 29.] If it is feared injustice might be done by his decisions, let provision be made by law for an appeal to the Auditor, Secretary, and Treasurer of State, whose duty it was to settle with the lessees, (before that business was cast upon the agent, by the last cited act,) and who consequently possess the requisite knowledge and experience.

These officers are all known to the law, they are responsible to the legislature, not only on the question of their re-election, but their conduct is properly subject to scrutiny at any session. On the contrary the functions and appointment of private commissioners named in any bill, cease with the investigation for which they were appointed.

They then merge again into the community and are not answerable, (as in the case of officers,) to impeachment, nor have they officers or emolument to lose. My remarks, will be understood, of course, not as of individual application, but in reference to the general rule, which should always be adhered to in cases like the present.

But a still stronger objection to the bill, is the extraordinary power given to the commissioners to change the operation of the contract itself to the injury of the State. After empowering them to give to any lessee all the credits and advantages stipulated in

the contract, the bill provides that the commissioners "shall also make to him *any other allowances* which to them shall seem just and equitable."

This is a power without limit. The contract is entirely lost sight of. The bill afterwards contemplates that the State may be brought in debt; which by the law and contract could not under present circumstances be done. For there is express provision in the contract against allowing a lessee damage for failure to supply water, whether caused by floods or otherwise, except by suspending his rent, for which allowance can be made by the agent, without any new statute on the subject.

It seems to me hard enough for the State to pay as she did, more than \$20,000 for repairing the canal lately, and to perform her part of the contract in other respects, without not only losing the pittance of rent in return, but perhaps to be brought in debt.

The granting of the favor sought for by this bill, would tend to deprive the State of the rents with which she has to pay the workmen for keeping the canal in repair. It would operate injuriously on such lessees as punctually pay their rents, for they are entitled in return to that supply of water, to give which it is requisite that the canal shall be kept in repair, and to keep it in repair, these rents are necessary.

In conclusion it may be stated that on reference to existing laws and to forms of the leases, it will be seen that nearly every other provision in the bill having a beneficial object in view, is already provided for; but that by the 17th sec. another change is made in the leases, by substituting a less effective remedy against the lessees, for failing to pay their rent.

The subject is respectfully submitted again to the wisdom of the legislature, and with the less reluctance, because the effect of doing so is little more, than a virtual reconsideration.

JAMES WHITCOMB.

Dec. 5th, 1848.

On motion by Mr. Barbour,

The vote on the resolution fixing Saturday, the 9th inst., as the day to go into the election of a President of the State Bank, was re-considered.

Mr. Barbour then moved that "Saturday the 9th inst." be stricken out, and "Friday 8th" inserted, which motion prevailed.

The resolution as amended was adopted.

On motion by Mr. Edmonston,

The following messages from the Senate were taken up:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House providing for the election of a Secretary of State for the State of Indiana, with the following amendment:

Strike out "Friday the 8th" and insert "Monday the 11th."

In which amendment the concurrence of the House is respectfully requested.

Which amendment was concurred in.

*Ordered*, That the clerk inform the Senate thereof.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House, providing for the election of a Warden for the Indiana State Prison with the following amendment:

Amend by striking out "Thursday the 7th," and inserting "Saturday the 9th."

In which amendment of the Senate the concurrence of the House is respectfully requested.

Which was concurred in.

*Ordered*, That the clerk inform the Senate thereof.

The Speaker laid before the House the following communication:

AUDITOR OF STATE'S OFFICE,  
Indianapolis, Dec. 6th, 1848.

HON. GEORGE W. CARR,

*Speaker of the House of Representatives:*

SIR :—Be pleased to receive herewith, and lay before the House of Representatives, the annual Report required by law to be made from this office to the General Assembly, and oblige

Very respectfully,

Your obedient servant,

D. MAGUIRE,  
*Auditor of State.*

Mr. Meredith moved to lay the report of the Auditor of State on the table, and that 5,000 copies be printed.

Mr. Barbour moved to amend by striking out 5,000 and inserting 2,000.

Mr. Dobson called for a division of the question.

The question on laying on the table and printing was decided in the affirmative.

Mr. Harlan moved to lay the whole matter on the table, which motion did not prevail.

The question then recurring on printing 5,000 copies of the Report was decided in the affirmative.

Mr. Edmonston moved that 5000 copies of the Governor's message be printed.

Mr. Line moved to amend the section so as to print 3000 copies in the English language, and 2000 copies in the German language.

Mr. Withers moved to amend by inserting 5000 copies in the English language, and 2000 copies in the German language.

Which amendment was accepted, and the motion, as amended, was decided in the affirmative.

On motion by Mr. Edmonston,

The following message from the Senate was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill of the Senate, entitled

No. 1. An act to authorize Robert Rossington to file a bill for a divorce at the January special term, 1849, of the Dearborn Circuit Court;

In which the concurrence of the House is respectfully requested.

The bill was read a first time and passed to a second reading.

Mr. Johnson of Dearborn moved to suspend the rules and read the bill a second time now.

Which motion did not prevail.

Mr. Webster moved that the House adjourn ;

Which motion did not prevail.

Mr. Harlan moved to take up

No. 2. A bill concerning the manner of electing United States Senators ;"

Which motion prevailed.

The bill was then read a second time, and,

On motion by Mr. Kelso,

Laid on the table.

Mr. Dunn introduced

No. 4. A bill for the relief of Walter Hilt ;

Which was read a first time, and,

On motion by Mr. Dunn,

The rules were suspended, and the bill read a second and third times, and passed.

*Ordered;* That the Clerk inform the Senate thereof.

Mr. Orr introduced

No. 5. A bill limiting the time for presenting complaints to grand juries ;

Which was read a first time, and passed to a second reading.

Mr. Dawson introduced

No. 6. A bill to provide for revising the laws, and to reform, simplify, and abridge the rules and practice, pleadings, forms, and proceedings of the courts of record, of this State.

On motion by Mr. Line,  
Said bill was rejected.  
Mr. Edmonston moved to take up  
No. 1. A joint resolution relative to the further extension of  
slavery ;  
Which motion did not prevail.  
On motion by Mr. Miller,  
The House adjourned.

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THURSDAY MORNING, DEC. 7, 1848.

The House met.

Mr. Starbuck introduced  
No. 7. A bill to establish the College Corner and Liberty Turn-  
pike company, and the Liberty and Abington Turnpike company ;  
Which was read a first time, and passed to a second reading.  
On motion by Mr. Edwards,

*Resolved*, That the Doorkeeper is hereby instructed to place on  
each desk in this House a copy of the Revised Statutes of 1843,  
*instanter*.

Mr. Brady moved to take up the following message from the Se-  
nate, which motion prevailed :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-  
tives that the Senate has adopted the following resolution :

*Resolved*, That the Senate will, the House concurring therein, pro-  
ceed to elect a President of the State Bank, on to-morrow, at 2  
o'clock, P. M.; [this day.]

In which the concurrence of the House is respectfully requested.

Mr. Brady moved to reciprocate the resolution.

Mr. Buskirk moved to concur in the amendment by inserting  
“Tuesday, the 12th, at 2 o'clock,” instead of “2 o'clock, P. M., this  
day,” which motion did not prevail.

The question being on concurring in the resolution of the Senate,  
The ayes and noes being demanded by Messrs. Ford and Riley,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Barbour, Brady, Bryant, Campbell, Casselberry, Chambers, Cockrum, Commons, Cotton, Cravens, Dougherty of Boone, Drake, Dunn, Ford, Goodwin, Hendricks, Howell, Huckelberry, Hughes, Jackman, James, Jones of Bartholomew, Julian, Kelly, Meredith, Miller, Mills, Nicholson, Osborn, Parker of Allen, Place, Rifner, Rousseau, Ryan, Shaw, Snook, Spencer, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Webster, and Wilson—47.

*Those who voted in the negative are,*

Messrs. Blakemore, Bundy, Buskirk, Caldwell, Dawson, Decker, Donnouue, Dougherty of Morgan, Dowling, Doyle, Duvall, Edmonston, Edwards, Frazer, Gessie, Gillum, Goldsberry, Graham, Hankins, Harlan, Hicks, Hill, Huddleston, Hunt, Johnson of Dearborn, Johnston of Putnam, Jones of Huntington, Kelso, Line, Lozier, Meacham, Odell, Orr, Parker of Brown, Pierce, Rice, Riley, Rippey, Ross of Wabash, Smith, Wade, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—47.

So the House refused to concur in the resolution of the Senate.

On motion by Mr. Edmonston,

Said resolution of the Senate was laid on the table.

Mr. Dougherty of Morgan offered the following resolution :

*Resolved*, That the Governor's message be referred to a committee of the whole House, and be made the special order of the day for two o'clock, P. M., on Saturday next.

Mr. Riley moved to insert "2 o'clock, P. M., on to-morrow;"

Which motion did not prevail.

The question on the adoption of the resolution, was decided in the affirmative.

Mr. Riley introduced,

No. 8. A bill to legalize a certain sale made by the Auditor of State;

Which was read a first time, and passed to a second reading.

Mr. Blakemore introduced,

No. 9. A bill to incorporate the Ladies Sigourney Library; Which was read a first time, and passed to a second reading.

Mr. Edmonston introduced,

No. 10. A joint resolution in regard to the further extension of slavery;

Which was read a first time, and passed to a second reading.

Mr. Wolfe introduced,

No. 11. A bill to provide for taking the sense of the qualified voters of the State of Indiana, on the calling of a Convention to alter, revise, or amend the Constitution of the State ;

Which was read a first time, and passed to a second reading.  
Mr. Dunn introduced,

No. 12. A bill to amend the act, entitled, "an act to incorporate the Madison and Brownstown Turnpike Company," which became a law on the 11th of February, 1848;

Which was read a first time, and passed to a second reading.  
On motion by Mr. Julian,

*Resolved*, That his excellency the Governor be requested to communicate to the House, the result of the vote taken at the last August election, on the subject of free schools.

Mr. Duvall introduced,

No. 13. A bill to change the name of Mary Maranda Laudrum;  
Which was read a first time, and passed to a second reading.

On motion by Mr. Duvall,

The rules were suspended, the bill read a second time, and ordered to be engrossed.

Mr. Bryant introduced,

No. 14. A bill to ascertain and establish the boundaries of certain roads in the county of Warren;

Which was read a first time, and passed to a second reading.

On motion by Mr. Wolfe,

*Resolved*, That the clerk be instructed to inform the Senate, that the House has adopted the Joint Rules of the last session of the General Assembly, as the Joint Rules of the present session, and that the Senate be requested to concur therein.

On motion by Mr. Dougherty of Morgan,

*Resolved*, That the House will, the Senate concurring, proceed to the election of a Bank Director on the part of the State, on Tuesday next, at half-past two o'clock, P. M.

The Speaker laid before the House the following communication of the State Librarian :

*Hon. G. W. Carr,*

*Speaker of the House of Representatives :*

Requesting that you will lay the following report before the honorable body over which you preside, I am,

Very respectfully,

Your obedient servant,

JOHN B. DILLON.

Mr. Miller moved to lay the report of the State Librarian on the table, and that 1000 copies be printed;

Which motion did not prevail.

On motion by Mr. Kelso,  
Five hundred copies were ordered to be printed.  
Mr. Duvall moved to take up,  
No. 13. A bill to change the name of Mary Maranda Laudrum;  
Which motion did not prevail.  
Mr. Line offered the following resolution :

*Resolved*, That the Door-keeper be instructed to contract with the editors of the State Sentinel and State Journal, for three copies of their tri-weekly papers, for each member, and that the same be audited and paid out of the State Treasury ;

Mr. Miller moved to substitute the "Daily Journal," instead of the "Tri-Weekly Journal;"

Which amendment was accepted by the mover of the original resolution.

Mr. Vance moved to strike out "three copies," and insert "one copy;"

Which motion did not prevail.

Mr. Webster moved to strike out "three copies," and insert "five copies;"

The question then recurring on the amendment to strike out "three copies" and insert "one copy," was decided in the negative.

The question then recurring on striking out "three copies," and inserting "five copies," was decided in the negative.

Mr. Bundy moved the previous question.

Which motion was not seconded by the House.

Mr. Wolfe moved to lay the resolution on the table.

The ayes and noes being demanded by Messrs. Wolfe and Kelso,

*Those who voted in the affirmative are :*

Messrs. Alexander, Bundy, Campbell, Casselbury, Cravens, Donnoue, Dougherty of Morgan, Doyle, Duvall, Ford, Gillum, Hicks, Hill, Kelso, Meacham, Rice, Wade, Withers, Winstandley, Wolfe, Wood, and Mr. Speaker—22.

*Those who voted in the negative are :*

Messrs. Alden, Allen, Barbour, Blakemore, Brady, Bryant, Buskirk, Caldwell, Chambers, Cockrum, Commons, Cotton, Cox, Dawson, Decker, Dobson, Dougherty of Boone, Dowling, Drake, Dunn, Edmonston, Edwards, Frazer, Goldsberry, Goodwin, Graham, Hankins, Harlan, Hendricks, Howell, Huckleberry, Huddleston, Hughes, Hunt, James, Jackman, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Julian, Kelly, Line, Lozier, Maddox, Meredith, Miller, Mills, Nicholson, Odell, Orr, Os-

born, Parker of Allen, Parker of Brown, Pierce, Place, Rifner, Riley, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Snook, Spencer, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Webster, Wilson, and Young—75.

So the resolution was not laid on the table.

Mr. Edmonston moved to amend by adding after “each member” and “each officer of this House;”

Which amendment was adopted.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House to proceed on Friday the 8th inst., at 10 o'clock, A. M., to the election of a President of the State Bank of Indiana to fill the vacancy occasioned by the expiration of the term of service of the present incumbent.

Also, I am directed by the Senate to inform the House that the Senate have concurred in the resolution of the House adopting the Joint Rules of the last session of the General Assembly as the Joint Rules of the present session.

Mr. Ford moved to amend by adding—

“That each member take any number of papers that he may desire, and pay for the same out of his own pocket, and not out of the State Treasury.”

On motion by Mr. Duvall,

Said amendment was laid on the table.

Mr. Riley moved to amend by inserting—

“Provided a contract can be made for those editors to send said papers to whom the same may be directed by the members of this Legislature.”

Mr. Line moved to request the Doorkeeper to report to the House what contract can be made for carrying into effect the object of the resolution.

Mr. Duvall moved to refer the resolution and pending amendment to a select committee of six members.

Which motion did not prevail.

The question then recurring on the amendment of Mr. Riley, Was decided in the negative.

Mr. Campbell moved to amend by adding, “during the present session.”

Which amendment was adopted.

Mr. Duvall moved to amend by adding—

"Also, three copies of the Weekly Locomotive."

Which amendment was not adopted.

Mr. Dobson moved to amend by adding—

"At the lowest club rate."

Which amendment was not adopted.

The question then recurring on the passage of the resolution.

The ayes and noes being demanded by Messrs. Wolfe and Kelso,

*Those who voted in the affirmative are :*

Messrs. Alden, Allen, Barbour, Blakemore, Brady, Bryant, Buskirk, Caldwell, Chambers, Cockrum, Commons, Cotton, Cox, Cravens, Decker, Dobson, Dougherty of Boone, Dowling, Drake, Dunn, Edmonston, Edwards, Frazer, Gessie, Goldsberry, Goodwin, Graham, Hankins, Harlan, Hendricks, Howell, Huckelberry, Huddleston, Hughes, Hunt, Jackman, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Julian, Kelly, Line, Lozier, Maddox, Meacham, Meredith, Miller, Mills, Nicholson, Odell, Orr, Osborn, Parker of Allen, Parker of Brown, Place, Riley, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Snook, Spencer, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Webster, Wilson, Wood, and Young—76.

*Those who voted in the negative are :*

Messrs. Alexander, Bundy, Campbell, Dawson, Donnouhe, Dougherty of Morgan, Duvall, Ford, Gillum, Hicks, Hill, Kelso, Pierce, Rice, Rifner, Wade, Winstandley, Withers, Wolfe, and Mr. Speaker—20.

So said resolution as amended, was adopted.

Mr. Drake moved to take up the following message from the Senate, which motion prevailed.

MR. PRESIDENT :

I am directed by the Senate to inform the House of Representatives, that the Senate has adopted the following resolution :

*Resolved*, That the Senate will, the House concurring therein, go into the election of a Bank Director, to-day at 2 o'clock P. M.

On motion by Mr. Drake,

Said resolution of the Senate was reciprocated.

*Ordered*, That the clerk inform the Senate thereof.

On motion by Mr. Osborn,  
The House adjourned.

*Two O'clock, P. M.*

The House met.

James Morgan, member elect from the county of Decatur, appeared, produced his credentials, was sworn into office, and took his seat.

Mr. Casselberry introduced,

No. 15. An act regulating the duties of the Treasurer of Posey county;

Was read a first time, and passed to a second reading.

Mr. Starbuck introduced,

No. 16. A joint-resolution relative to domestic slavery;

Which was read a first time and passed to a second reading.

A message from the Senate by Mr. Walpole a Senator :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate will proceed instanter, with closed doors, to elect a State Bank Director, and the concurrence of the House of Representatives is requested.

Which was concurred in.

*Ordered*, That the clerk inform the Senate thereof.

The House then proceed with closed doors to ballot for Bank Director, on the part of the State, to fill the vacancy which will occur by the expiration of the term of service of James Sweetzer, Esq. Messrs. Blakemore and Line acting as tellers.

On counting the vote it appeared that,

John F. Carr received	-	-	-	32 votes.
George W. Lane received	-	-	-	19 votes.
James Sweetzer received	-	-	-	37 votes.
P. M. Parks received	-	-	-	4 votes.
Henry Pierce received	-	-	-	6 votes.
Scattering	-	-	-	1 vote.
Blank	-	-	-	1 vote.

No person having received a majority of all the votes given, the House then proceeded to a second balloting.

On counting the vote it appeared that,

John F. Carr received	-	-	-	42 votes.
George W. Lane received	-	-	-	14 votes.
James Sweetzer received	-	-	-	39 votes.
P. M. Parks received	-	-	-	1 vote.

Henry Pierce received	-	-	-	1 vote.
Scattering	-	-	-	1 vote.
Blank	-	-	-	1 vote.

No person having received a majority of all the votes given, the House then proceeded to a third balloting.

On counting the votes it appeared that,

John F. Carr received	-	-	-	43 votes.
George W. Lane received	-	-	-	10 votes.
James Sweetzer received	-	-	-	45 votes.
Scattering	-	-	-	2 votes.

No person having received a majority of all the votes given, the House proceeded to a fourth balloting.

On counting the votes it appeared that,

John F. Carr received	-	-	-	45 votes.
George W. Lane received	-	-	-	7 votes.
James Sweetzer received	-	-	-	47 votes.
Scattering	-	-	-	1 vote.

No person having received a majority of all the votes given, the House then proceeded to a fifth balloting.

On counting the votes it appeared that,

John F. Carr received	-	-	-	56 votes.
James Sweetzer received	-	-	-	44 votes.

John F. Carr having received a majority of all the votes given, was declared by the President of the Convention duly elected Bank Director, on the part of the House, to serve as such for the term of four years, from the expiration of the term of service of the present incumbent.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to deliver to the House of Representatives the accompanying sealed message, in relation to the election of a Bank Director on the part of the State, to the State Bank of Indiana.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that at an election held by the Senate with closed doors, in

pursuance of a resolution of the two Houses, for the purpose of electing a director of the State Bank of Indiana, to serve as such for the term of four years, from and after the expiration of the term of the present incumbent, James Sweetzer, Esq., John F. Carr received, on the seventh ballot, a majority of all the votes given, and was thereupon declared duly elected, on the part of the Senate, a director of the State Bank of Indiana, to serve as such during the term of four years, from and after the expiration of the term of the present incumbent, James Sweetzer, Esq.

CHARLES H. TEST,  
*Secretary of the Senate.*

The doors of the House were again opened.

On motion by Mr. Duvall,  
The House adjourned.

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FRIDAY MORNING, DECEMBER 8, 1848.

The House met.

The Speaker announced the following

### STANDING COMMITTEES:

#### ON ELECTIONS.

Messrs. Ford, Pierce, Hughes, Casselberry, Gessie, James, and Starbuck.

#### ON WAYS AND MEANS.

Messrs. Harlan, Winstandley, Cox, Snook, Frazer, Buskirk, and Parker, of Allen.

#### ON THE JUDICIARY.

Messrs. Barbour, Kelso, Julian, Dawson, Allen, Dunn, and Mad-dox.

### ON EDUCATION.

Messrs. Bryant, Line, Webster, Kelso, Hicks, Meredith, and Wilson.

### ON THE STATE BANK.

Messrs. Hendricks, Miller, Caldwell, Goldsberry, Jackman, Stanton, and Withers.

### ON MILITARY AFFAIRS.

Messrs. Drake, Meacham, Blakemore, Cravens, Cockrum, Lozier, and Orr.

### ON THE AFFAIRS OF THE STATE PRISON.

Messrs. Huckleberry, Riley, Cotton, Rippey, Goodwin, Campbell, and Wade.

### ON THE AFFAIRS OF THE TOWN OF INDIANAPOLIS. etc

Messrs. Brady, Young, Huddleston, Jones of Huntington, Suttle, Mills, and Donnohue.

### ON CLAIMS.

Messrs. Dobson, Place, Morgan, Donnohue, Rice, Bundy, and Thompson.

### ON ROADS.

Messrs. Wolf, Jones of Bartholomew, Mills, Ross of Wabash, Rifner, Parker of Brown, and Alexander.

### ON CANALS AND INTERNAL IMPROVEMENTS.

Messrs. Dowling, Withers, Drake, Edmonston, Blakemore, Odell, and Dawson.

## ON AGRICULTURE.

Messrs. Johnston of Dearborn, Brady, Commons, Tuttle, Chambers, Johnston of Putnam, and Hill.

## ON CORPORATIONS.

Messrs. Edmonston, Ross of Miami, Edwards, Ryan, Dougherty of Morgan, Kelley, and Spencer.

## ON ENROLLED BILLS.

Messrs. Casselberry, Gillen, Dougherty of Boone, Shaw, Vawer, Young, and Starbuck.

## ON ENGROSSED BILLS.

Messrs. Buskirk, Lozier, Duvall, Edwards, Nicholson, Gessie, and Rifner.

## ON PUBLIC EXPENDITURES.

Messrs. Riley, Alexander, Decker, Rousseau, Wood, Osborn, and Huddleston.

## ON BENEVOLENT AND SCIENTIFIC INSTITUTIONS.

Messrs. Hunt, Hendricks, Hankins, Rousseau, Graham, Smith, and Duvall.

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## JOINT STANDING COMMITTEES.

### ON PUBLIC BUILDINGS.

Messrs. Dougherty of Boone, Vance, and Alden.

## ON THE CANAL FUND.

Messrs. Julian, Ross of Miami, and Doyle.

## ON THE STATE LIBRARY.

Messrs. Ryan, Howell, and Webster.

On motion by Mr. Brady,

The Standing Committees were laid on the table, and 200 copies ordered to be printed.

The Speaker announced the following

## ORDER OF BUSINESS.

I. Reading of the Jouunal.

II. Petitions, Memorials and Remonstrances.

III. Reports from Standing Committees.

- 1st. On Elections.
- 2d. On Ways and Means.
- 3d. On the Judiciary.
- 4th. On Education.
- 5th. On Military Affairs.
- 6th. On the Affairs of the State Prison.
- 7th. On the Affairs of the town of Indianapolis.
- 8th. On Claims.
- 9th. On Roads.
- 10th. On Canals and Internal Improvements.
- 11th. On Agriculture.
- 12th. On Corporations.
- 13th. On the State Bank.
- 14th. On Public Expenditures.
- 15th. On Benevolent and Scientific Institutions.

IV. Reports from Joint Standing Committees.

- 1st. On Public Buildings.
- 2d. On the Canal Fund.
- 3d. On the State Library.

V. Reports from Select Committees.

VI. Resolutions of the House.

VII. Joint Resolutions.

VIII. Bills.

IX. Orders of the Day.

On motion by Mr. Brady,  
Two hundred copies of the Order of Business were ordered to be printed.

On motion by Mr. Hendricks,

*Resolved*, That this House proceed *instanter*, with closed doors, to the election of a President of the State Bank of Indiana, and that the Senate be requested to concur in this resolution.

A message from the Senate, by Mr. Test, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House to proceed *instanter*, with closed doors, to the election of a President of the State Bank of Indiana.

The doors of the House were then ordered to be closed.

On motion by Mr. Harlan,  
A call of the House was ordered,  
When every member of the House answered to the call of his name.

The House then proceeded, by ballot, with closed doors, to the election of a President of the State Bank of Indiana, to fill the vacancy which will occur by the expiration of the term of service of the present incumbent,

Messrs. Snook and Dunn acting as tellers.

On counting the votes it appeared that,

James Morrison received,	-	-	-	53 votes.
Daniel Mace received,	-	-	-	47 votes.

James Morrison having received a majority of all the votes given, was declared duly elected, on the part of the House, President of the State Bank of Indiana, to serve as such for a term of five years, from and after the expiration of the term of service of the present incumbent.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to deliver to the House of Repre-

sentatives, the accompanying sealed message, in relation to the election of a President of the State Bank of Indiana.

MR. SPEAKER:

I am directed by the Senate, to inform the House of Representatives, that at an election for President of the State Bank of Indiana, held with closed doors, in pursuance of a resolution of the two Houses, James Morrison on the first balloting, received a majority of all the votes given, and was declared duly elected on the part of the Senate, President of the State Bank of Indiana, to serve as such for the term of five years from and after the expiration of the term of the present incumbent.

CHARLES H. TEST, *Sec. Senate.*

The Speaker laid before the House, the third annual report of the Warden of the Indiana State Prison;

On motion by Mr. Edmonston,

Said report was laid on the table, and 500 copies ordered to be printed.

The Speaker laid before the House, the report of the Superintendent of Common Schools, accompanied by a bill to revise, and reduce into an act, all laws now in force, relative to Common Schools, in this State, and to provide for a general system of common school education.

Mr. Huddleston moved to lay the report and bill on the table, and order 1000 copies to be printed.

Mr. Riley moved to print 2000 copies.

The question being on laying the report and bill on the table, and printing 2000 copies, was decided in the affirmative.

Mr. Dobson presented a petition from the county board of Owen county and citizens, for the repeal of an act defining the duties of sheriffs in the counties of Owen and Hancock," approved, February 11, 1843, so far as the same is applicable to Owen county.

On motion by Mr. Dobson,

Said petition was referred to a select committee.

The Speaker appointed Messrs. Dobson, Rousseau, and Drake said committee.

Mr. Dobson presented a petition from Susanah Gibens, for a divorce.

Mr. Dougherty of Morgan, moved to lay the petition on the table, which motion did not prevail.

On motion by Mr. Dobson,

The said petition was referred to a select committee.

The Speaker appointed Messrs. Dobson, Kelso, Dougherty of Morgan, and Rousseau, said committee.

Mr. Julian offered the following resolution :

*Resolved*, That in the opinion of this House, the Constitution con-

fers no power upon the General Assembly of the State of Indiana to grant divorces, and that this House will not pass any bill granting a divorce during the present session.

Mr. Wolfe moved to amend the resolution so as to declare it inexpedient for the General Assembly to pass any divorce bill.

Mr. Edmonston moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Edmonston and Kelso.

*Those who voted in the affirmative are,*

Messrs. Alden, Barbour, Blakemore, Bundy, Caldwell, Casselberry, Chambers, Cotton, Cox, Cravens, Dobson, Dowling, Drake, Duvall, Edmonston, Edwards, Ford, Gessie, Goodwin, Harlan, Hendricks, Hill, Huckelberry, Hughes, Hunt, James, Kelly, Lozier, Meacham, Meredith, Morgan, Osborn, Parker of Brown, Place, Riley, Rippey, Ross of Miami, Ross of Wabash, Rousseau, Ryan, Shaw, Smith, Spencer, Thompson, Tuttle, Wade, Webster, Wilson, Winstandley, Withers, Wood, and Young—52.

*Those who voted in the negative are,*

Messrs. Alexander, Allen, Brady, Bryant, Buskirk, Cockrum, Commons, Dawson, Decker, Donnohue, Dougherty of Boone, Dougherty of Morgan, Doyle, Dunn, Frazer, Gillum, Goldsberry, Graham, Hanks, Hicks, Howell, Huddleston, Jackman, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Julian, Kelso, Line, Maddox, Miller, Mills, Nicholson, Odell, Orr, Parker of Allen, Pierce, Rice, Rifner, Snook, Stanton, Starbuck, Vance, Vawter, Wolfe, and Mr. Speaker—47.

So the resolution and amendment were laid on the table.

Mr. Frazer introduced,

No. 17. A joint resolution in relation to the existing post office laws;

Which was read a first time, and ordered to a second reading.

On motion by Mr. Hughes,

*Resolved*, That the journal of Wednesday be so amended as to place the objections of the Governor to bills No. 159 and 422, which passed at the last session, on the record of the proceedings of that day.

Mr. Rousseau moved to reconsider the vote on the resolution of Mr. Duvall, requiring the door-keeper to perform the duties of the sergeant-at-arms.

Mr. Edmonston gave notice that he would on to-morrow, introduce a resolution to rescind the 58th rule of the House, regulating the duties of sergeant-at-arms.

On motion by Mr. Starbuck,  
The House adjourned.

*Two o'clock, P. M.*

The House met.

On motion by Mr. Harlan,  
A call of the House was ordered.  
The clerk proceeded with the call, when,  
Mr. Miller moved that a further call of the House be suspended,  
which motion did not prevail.

Mr. Edmonston moved that the absentees be sent for.

On motion by Mr. Huddleston,  
The further call of the House was suspended.

The question pending, when the House adjourned, being the motion by Mr. Rousseau to reconsider the vote on the resolution of Mr. Duvall to require the door-keeper to perform the duties of sergeant-at-arms.

The question on reconsidering was decided in the negative.

Mr. Dobson introduced,  
No. 18. A joint resolution on the subject of slavery ;  
Which was read a first time, and ordered to a second reading.  
On motion by Mr. Brady,

*Resolved*, That the standing committee on claims be instructed to inquire into the expediency of continuing in force for the year 1848, the laws of last session, passed for the relief of Regular and Volunteer Soldiers, who served in the War with Mexico.

Mr. Orr introduced,  
No. 19. A bill regulating witnesses' fees in this State ;  
Which was read a first time, and passed to a second reading.  
Mr. Line introduced,  
No. 20. A bill for the relief of Isaac Hardy, and others ;  
Which was read a first time, and passed to a second reading.  
Mr. Edmonston moved to take up,  
No. 2. A bill concerning the manner of electing United States Senators ;

Which motion prevailed.

The bill being on the second reading,

Mr. Riley moved that the rules be suspended, and the bill read a third time ;

Mr. Kelso moved to indefinitely postpone the bill ;

The ayes and noes being demanded by Messrs. Winstandley and Kelso :

*Those who voted in the affirmative are,*

Messrs. Allen, Blakemore, Brady, Bryant, Bundy, Cockrum, Commons, Cox, Donnohue, Dougherty, of Morgan, Dowling, Doyle, Dunn, Duvall, Edwards, Frazer, Gessie, Gillum, Goldsberry, Goodwin,

Graham, Hankins, Huddleston, Hunt, Jackman, Johnson, of Dearborn, Johnston, of Putnam, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meacham, Meredith, Miller, Morgan, Nicholson, Orr, Parker, of Allen, Risner, Riley, Ross, of Miami, Rousseau, Snook, Spencer, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, and Webster—54.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Barbour, Buskirk, Caldwell, Campbell, Casselberry, Chambers, Cotton, Cravens, Dawson, Decker, Dobson, Dougherty, of Boone, Drake, Edmonston, Ford, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Hughes, James, Jones, of Bartholomew, Jones, of Huntington, Mills, Odell, Osborn, Parker, of Brown, Pierce, Place, Rice, Rippey, Ross, of Wabash, Ryan, Shaw, Smith, Thompson, Wilson, Winstandley, Withers, Wolfe, Young, and Mr. Speaker—46.

So said bill was indefinitely postponed.

Mr. Riley moved to reconsider the vote;

The ayes and noes being demanded by Messrs. Edmonston and Parker, of Allen:

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Barbour, Buskirk, Caldwell, Campbell, Casselberry, Chambers, Cotton, Cravens, Dawson, Decker, Dobson, Dougherty, of Boone, Drake, Edmonston, Ford, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Hughes, James, Jones, of Bartholomew, Jones, of Huntington, Line, Mills, Odell, Osborn, Parker, of Brown, Place, Rice, Riley, Rippey, Ross, of Miami, Ross, of Wabash, Ryan, Shaw, Smith, Spencer, Thompson, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—49.

*Those who voted in the negative are,*

<sup>slip</sup> Messrs. Allen, Blakemore, Brady, Bryant, Bundy, Cockrum, Commons, Cox, Donnhue, Dougherty, of Morgan, Dowling, Dunn, Duvall, Edwards, Frazer, Gessie, Gillum, Goldsberry, Goodwin, Graham, Hankins, Huddleston, Hunt, Jackman, Johnson, of Dearborn, Johnston, of Putnam, Julian, Kelly, Kelso, Lozier, Maddox, Meacham, Meredith, Miller, Morgan, Nicholson, Orr, Parker, of Allen, Pierce, Risner, Rousseau, Snook, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, and Webster—50.

So the House refused to reconsider the vote.

The Speaker laid before the House a communication from the Governor, containing the vote for and against a tax for the support of Free Schools, at the annual election, in August last.

On motion by Mr. Edmonston,

Said communication was laid upon the table, and 200 copies ordered to be printed.

On motion by Mr. Julian,

*Resolved*, That the committee on Education be instructed to report, without unnecessary delay, a bill establishing Free Schools by means of taxation; and that such committee be further instructed to draft such bill in the most concise and simple form, creating the smallest possible number of Officers, and appropriating, as far as practicable, the avails of such taxation to the actual payment of tuition.

Mr. Edwards offered the following resolution :

*Resolved*, That any member of this House, having any petition, memorial, remonstrance, resolution, bill, or other matter, of which he was the mover or introducer, referred to either of the standing committees of this House, shall have the right to meet with and act as a member of said committee, during the time said committee may have such subject under consideration.

Which, under the rule, lies over one day.

Mr. Odell introduced,

No. 21. A bill to authorize the Board of county Commissioners of the several counties of this State, to employ physicians for the poor.

Which was read a first time and passed to a second reading.

Mr. Brady introduced,

No. 22. A joint resolution to vindicate the Indiana Brigade from slander and misrepresentation;

Which was read a first time and passed to a second reading.

Mr. Webster introduced,

No. 23. A bill to authorize Jane Bushnell Jenks, to hold and convey real estate;

Which was read a first time and passed to a second reading.

Mr. Jones, of Huntington, introduced,

No. 24. A bill to change the name of Isaac Plum Pricket;

Which was read a first time and passed to a second reading.

Mr. Bundy introduced,

No. 25. A joint resolution in relation to postage on newspapers and public documents;

Which was read a first time and passed to a second reading.

On motion by Mr. Osborn,

The House adjourned.

SATURDAY MORNING, DEC. 9, 1848.

The Speaker laid before the House, the reports of the following Branches of the State Bank of Indiana, viz.:

Michigan City, Indianapolis, Lafayette, Vincennes, Terre Haute, Madison, South Bend, New Albany, and Bedford.

On motion by Mr. Edmonston,

The several reports were referred to the committee on the State Bank.

The Speaker laid before the House, the report of the Adjutant General.

On motion by Mr. Morgan,

Said report was referred to the committee on military affairs.

PETITIONS PRESENTED.

By Mr. Johnson, of Putnam,

The petition of Joseph Collier, of Putnam county ;  
Which was referred to a select committee consisting of,  
Messrs. Johnson, of Putnam, Dunninhue, and Snook.

By Mr. Buskirk,

The petition of Matthew McPhetridge, of Monroe county ;  
Which was referred to a select committee consisting of,  
Messrs. Buskirk, Parker, of Brown, and Doyle.

By Mr. Dunn,

The petition of Wm. R. Latta and others, for the relief of Christian Aigner ;

Which was referred to a select committee consisting of,  
Messrs. Dunn, Jackman, and Kelso.

By Mr. Webster,

The petition of citizens of Lagrange county, for the relief of Robert Jones ;

Which was referred to a select committee consisting of,  
Messrs. Webster, Ryan, and Parker, of Allen.

By Mr. Hendricks,

[The petition of Elzey Rucher and others, of Shelby and Rush counties, for a State road leading from the Michigan road in Shelby county, to Andersonville, in the county of Rush ;

Which,

On motion by Mr. Hendricks,  
Was referred to the committee on roads.

By Mr. Cox,

A remonstrance on the same subject ;  
Which,

On motion by Mr. Cox,  
Was referred to the committee on roads.

On motion by Mr. Brady,

The following resolution, offered by Mr. Edwards, on yesterday, was taken up :

*Resolved*, That any member of this House, having any petition, memorial, remonstrance, resolution, bill, or other matter, of which he was the mover, or introducer, referred to either of the standing committees of this House, shall have the right to meet with and act as a member of said committee, during the time said committee may have such subject under consideration.

Mr. Edmonston moved to amend the resolution, by adding in the proper place, "except voting ;"

Which amendment was accepted by Mr. Edwards.

The question on the adoption of the resolution, was decided in the affirmative.

On motion by Mr. Dobson,

Mr. Dunn was added to the committee on education.

Mr. Edmonston having given notice, on yesterday, that he would offer a resolution to rescind the 58th standing rule of the House, offered the following resolution :

*Resolved*, That the 58th rule of the House, regulating the duties of Sergeant-at-arms, be and the same is hereby rescinded.

Which resolution was adopted.

On motion by Mr. Kelso,

*Resolved*, That the judiciary committee be instructed to inquire into the expediency and propriety of a change in our probate system, and creating a circuit probate system, instead of the present. With leave to report by bill or otherwise.

On motion by Mr. Dowling,

*Resolved*, That the committee of ways and means be instructed to inquire into the expediency of revising the Revised Laws of Indiana, so as to insure a more equitable system of taxation ; and that it be made the duty of that committee, more particularly to report to this House, at as early a day as practicable, a law which shall more certainly secure assessments of corporation stocks, moneys at interest, and all other descriptions of personal property.

Mr. Johnston of Putnam offered the following resolution :

*Resolved*, That the committee on elections be, and they are hereby instructed to report a bill to repeal the act entitled "An act to confine voters to their respective townships," at as early a day of the present session as possible.

Mr. Edmonston moved to lay the resolution on the table.

The ayes and noes being demanded by Messrs. Parker of Allen, and Kelso,

*Those who voted in the affirmative are,*

Messrs. Alden, Blakemore, Brady, Bryant, Caldwell, Campbell, Chambers, Cockrum, Commons, Cox, Cravens, Dawson, Decker, Dobson, Dowling, Doyle, Dunn, Duvall, Edmonston, Edwards, Frazer, Gessie, Gillum, Goldsberry, Goodwin, Graham, Hankins, Harlan, Hendricks, Hill, Howell, Huckleberry, Huddleston, Hunt, Jackman, James, Jones of Bartholomew, Jones of Huntington, Julian, Line, Lozier, Maddox, Meachman, Meredith, Miller, Nicholson, Odell, Orr, Parker of Allen, Pierce, Place, Rice, Rifner, Riley, Rippey, Ross of Miami, Ross of Wabash, Rousseau, Smith, Snook, Spencer, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Winstandley, Wood and Young—72.

*Those who voted in the negative are,*

Messrs. Alexander, Allen, Bundy, Buskirk, Casselberry, Cotton, Donnohue, Dougherty of Boone, Dougherty of Morgan, Drake, Ford, Hicks, Hughes, Johnston of Putnam, Kelley, Kelso, Mills, Morgan, Osborn, Parker of Brown, Ryan, Shaw, Wilson, Withers, Wolfe and Mr. Speaker—26.

So the resolution was laid upon the table.

On motion by Mr. Edmonston,

*Resolved*, That the Senate be invited to attend in the Hall of the House instanter, to proceed to the election of Warden of the State Prison, to fill the vacancy occasioned by the expiration of the term of service of the present incumbent, and that seats be prepared for them on the right of the Speakers chair.

On motion by Mr. Edwards,

The credentials of the members of the House were referred to the committee on elections.

On motion by Mr. Hicks,

*Resolved*, That a committee, to be composed of the representatives from the several counties in the fifth judicial circuit, be appointed to report a bill to this House regulating the times of holding the several courts therein, and extending the time of the Johnson circuit court.

On motion by Mr. Odell,

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of repealing the present law in relation to the manner of electing prosecuting attorneys of this State, and revive the fifty-eighth chapter of the Revised Laws of eighteen hundred and forty-three, with leave to report by bill or otherwise.

On motion by Mr. Winstandley,

~~T~~ Resolved, That the judiciary committee inquire into the expediency of amending section 88, chapter 13, of the Revised Statutes of 1843, so as to make the liabilities and duties of county auditors, the same in loaning county seminary funds as in loaning the surplus revenue, and common school funds.

Mr. Miller introduced,

No. 26. A bill to authorize the judge of the probate court of St. Joseph county to grant and try writs of habeas corpus, and for other purposes;

Which was read a first time and passed to a second reading.

#### ORDERS OF THE DAY.

No. 1. A joint resolution relative to the further extension of slavery;

Was read a second time.

The Senate came into the Hall of the House, when both Houses proceeded by ballot in joint convention, to elect a Warden of the State Prison, Messrs. Read and Davis acting as tellers on the part of the Senate, and Messrs. Dowling and Edmonson on the part of the House.

On counting the votes it appeared that

Lemuel Ford received	-	-	-	-	42 votes.
William Lee received	-	-	-	-	18 votes.,
John Mitchell received	-	-	-	-	13 votes.
Joseph E. Moore received	-	-	-	-	3 votes.
Abraham Miller received	-	-	-	-	1 vote.
H. C. Monroe received	-	-	-	-	69 votes.
Peter F. Newland received	-	-	-	-	1 vote.

The names of Joseph E. Moore and Abraham Miller were withdrawn.

No person having received a majority of all the votes given, the joint convention then proceeded to a second balloting.

On counting the votes it appeared that

Lemuel Ford received	-	-	-	-	64 votes.
William Lee received	-	-	-	-	8 votes.
John Mitchell received	-	-	-	-	8 votes.
H. C. Monroe received	-	-	-	-	69 votes.

The names of Wm. Lee and John Mitchell were withdrawn.

No person having received a majority of all the votes given, the joint convention then proceeded to a third balloting.

On counting the votes it appeared that

Lemuel Ford received	-	-	-	-	80 votes.
H. C. Monroe received	-	-	-	-	68 votes.

Lemuel Ford having received a majority of all the votes given, was declared by the President of the Senate duly elected Warden of the State Prison, to serve as such for a term of three years from and after the expiration of the term of service of the present incumbent.

The Senate retired to their chamber.

ORDERS OF THE DAY.

No. 1. A joint resolution relative to the further extension of slavery;

Mr. Edmonston moved to refer the joint resolution to a select committee to consist of one member from each Congressional district.

Mr. Dowling moved,

"And that said committee be instructed to report on Wednesday next, the 13th, at 10 o'clock."

Which instructions were accepted by Mr. Edmonston.

Mr. Line called for a division of the question.

The question recurring on the motion to refer—

The ayes and noes being demanded by Messrs. Bundy and Dougherty, of Morgan,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Barbour, Buskirk, Caldwell, Campbell, Casselbury, Chambers, Cravens, Dawson, Decker, Dobson, Donohue, Dougherty of Boone, Dowling, Doyle, Drake, Edmonston, Edwards, Ford, Gessie, Goldsberry, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Hughes, James, Johnson of Deaborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Kelso, Line, Lozier, Maddox, Mills, Nicholson, Odell, Osborn, Parker of Brown, Pierce, Place, Rice, Riley, Rippey, Ross of Miami, Ross of Wabash, Rousseau, Ryan, Shaw, Smith, Snook, Spencer, Thompson, Winstandley, Withers, Wolfe, Wood, Young and Mr. Speaker  
—63.

*Those who voted in the negative are,*

Messrs. Allen, Blakemore, Bryant, Bundy, Cockrum, Commons, Cotton, Cox, Dougherty of Morgan, Dunn, Duvall, Frazer, Gillum, Goodwin, Graham, Hankins, Huddleston, Hunt, Jackman, Julian, Kelley, Meacham, Meredith, Miller, Morgan, Orr, Parker, of Allen, Rifner, Stanton Starbuck, Tuttle, Vance, Vawter, Wade, Webster, and Wilson—36.

So said bill was referred to a select committee to consist of one member from each congressional district.

The question then recurring on the adoption of the instructions of Mr. Dowling, was decided in the affirmative.

On motion by Mr. Dobson,

*Resolved*, That when this House adjourn, it will stand adjourned until Monday morning until 9 o'clock, A. M.

Mr. Dunn offered the following instructions to the select committee to whom was referred a joint resolution relative to the further extension of slavery:

"That the committee to whom were referred the joint resolutions presented on the subject of the further extension of slavery, be, and they are hereby instructed to report a joint resolution instructing our Senators and requesting our Representatives in Congress, to cast their votes and extend their influence to have engrafted upon any law that may be passed for the organization of the territory recently acquired from Mexico, a provision forever excluding from such territory slavery and involuntary servitude, otherwise than in the punishment of crimes whereof the party has been duly convicted."

Mr. Riley moved to lay the instructions on the table.

The ayes and noes being demanded by Messrs. Dougherty of Morgan and Blakemore,

*Those who voted in the affirmative are,*

Messrs. Alexander, Barbour, Buskirk, Caldwell, Campbell, Casselberry, Chambers, Dawson, Decker, Dobson, Donohue, Dougherty of Boone, Doyle, Drake, Ddmonston, Ford, Hendricks, Hicks, Hill, Howell, Huckleberry, Hughes, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Kelso, Line, Lozier, Mills, Nicholson, Odell, Osborn, Parker of Brown, Pierce, Place, Rice, Riley, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Snook, Spencer, Thompson, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—54.

*Those who voted in the negative are,*

Messrs. Alden, Allen, Blakemore, Brady, Bryant, Bundy, Cockrum, Commons, Cotton, Cox, Cravens, Dougherty of Morgan, Dowling, Dunn, Duvall, Edwards, Frazer, Gessie, Gillum, Goldsberry, Goodwin, Graham, Hankins, Harlan, Huddleston, Hunt, Jackman, Julian, Kelley, Meacham, Meredith, Miller, Morgan, Orr, Parker of Allen, Rifner, Rousseau, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade Webster, and Wilson—45.

So the instructions were laid on the table.

On motion by Mr. Buskirk,  
The House adjourned.

MONDAY MORNING, DEC. 11, 1848.

The Speaker announced the following Select Committee, under the motion of Mr. Edmonston, to refer the "joint resolution relative to the further extension of slavery," to a committee of one from each Congressional District :

1st District, Mr. Edmonston,  
 2d District, Mr. Dunn,  
 3d District, Mr. Kelso,  
 4th District, Mr. Julian,  
 5th District, Mr. Riley,  
 6th District, Mr. Dobson,  
 7th District, Mr. Dowling,  
 8th District, Mr. Snook,  
 9th District, Mr. Blakemore,  
 10th District, Mr. Harlan.

On motion by Mr. Dobson,  
 The following joint resolutions were taken up and also referred to the same committee, viz :

- No. 10. A joint resolution in regard to slavery ;
- No. 16. A joint resolution relative to domestic slavery ;
- No. 18. A joint resolution on the subject of slavery.

PETITIONS PRESENTED.

By Mr. Cotton,  
 The petition of citizens of Troy, Perry county ;  
 Which was referred to a select committee, consisting of Messrs. Cotton, James, and Graham.

By Mr. James,  
 The petition of the President and Trustees of the town of Lamasco city, in the county of Vanderburg, praying for an amendment of their town charter ;

Which,

On motion by Mr. James,  
 Was referred to the committee on corporations.

By Mr. Howell,  
 The petition of citizens of Blackford county, praying for the passage of a local law prohibiting extra fees of certain county officers, &c. ;

Which was referred to a select committee, consisting of Messrs. Howell, Wood, and Lozier.

By Mr. Shaw,

The petition of the County Commissioners of Hamilton county, praying for the passage of an act to enable the county of Hamilton to borrow money for Rail Road purposes;

Which was referred to a select committee, consisting of Messrs. Shaw, Riley, and Morgan.

By Mr. Dougherty, of Boone,

The petition of the Trustees of School District No. 4, township 20, North of Range 1, East, praying for an explanation of the 5th section of chapter 94, of an act entitled "An act to amend the 15th chapter of the Revised Statutes," approved January 26, 1847;

Which was referred to a select committee, consisting of Messrs. Dougherty, of Boone, Starbuck, and Dougherty of Morgan.

By Mr. Ross, of Miami,

The petition of citizens of Miami county, praying to extend the provisions of an act entitled "An act to extend the time of final payment for certain school lands in Miami county, and for other purposes," approved February 11, 1848, to all school lands in Miami county, which were sold prior to the enactment of the Revised Statutes of 1843;

Which,

On motion by Mr. Ross, of Miami,

Was referred to the committee on Education.

By Mr. Dawson,

The petition of John Spencer to vacate the town of Sparta, in Noble county;

Which was referred to a select committee, consisting of Messrs. Dawson, Webster, and Decker.

On motion by Mr. Edmonston,

*Resolved*, That the Senate be invited to attend in the Hall of the House, *instanter*, for the purpose of proceeding to the election of Secretary of State, and that seats be provided for them on the right of the Speaker's Chair.

Mr. Miller offered the following preamble and resolution, which waeeer adopted:

Whereas, the subject of Free Schools is one of the most important measures which is to be brought before the present Legislature, for their consideration and action: And whereas, the people have taken the matter under consideration in pursuance of a law of the last session of the Legislature on the subject, did on the first Monday of August last, through the medium of the ballot box, virtually instruct the present Legislature to pass a law for the purpose of creating a system of Free Schools in this State: Therefore,

*Be it Resolved*, That the committee on education be instructed to bring this subject before this House at the earliest practicable moment, by bill or otherwise, that time may be had for deliberation and action on that important subject.

On motion by Mr. Dobson,

The vote on the resolution to print 2,000 copies of the communication submitted by the Superintendent of Common Schools, was reconsidered.

Mr. Dobson moved that the communication be laid on the table, and that 2,000 copies of the report and 200 copies of the accompanying papers be printed.

Mr. Hendricks called for a division of the question.

The question being first on laying the communication on the table, was decided in the affirmative.

The Senate came into the Hall of the House, when both Houses proceeded by ballot, in joint convention, to the election of a Secretary of State, to fill the vacancy which will occur by the expiration of the term of service of the present incumbent, Messrs. Ellis and Randall acting as tellers on the part of the Senate, and Messrs. Harlan and Donnouhe on the part of the House.

On counting the votes it appeared that,

David Reynolds received	-	-	-	29 votes.
Erasmus D. Crookshank received	-	-	-	16 votes.
James Hughes received	-	-	-	16 votes.
Andrew L. Robinson received	-	-	-	18 votes.
John R. Jones received	-	-	-	5 votes.
Charles H. Test received	-	-	-	1 vote.
John H. Thompson received	-	-	-	61 votes.
Scattering	-	-	-	1 vote.

The name of John H. Thompson was withdrawn.

No person having received a majority of all the votes given, the joint convention then proceeded to a second balloting.

On counting the votes it appeared that,

David Reynolds received	-	-	-	33 votes.
Erasmus D. Crookshank received	-	-	-	23 votes.
James Hughes received	-	-	-	28 votes.
Andrew L. Robinson received	-	-	-	20 votes.
John R. Jones received	-	-	-	26 votes.
Charles H. Test received	-	-	-	1 vote.
Scattering	-	-	-	17 votes.

No person having received a majority of all the votes given, the joint convention then proceeded to a third balloting.

On counting the votes it appeared that,

David Reynolds received	-	-	-	34 votes.
Erasmus D. Crookshank received	-	-	-	23 votes.
James Hughes received	-	-	-	36 votes.
Andrew L. Robinson received	-	-	-	14 votes.
John R. Jones received	-	-	-	19 votes.

Charles H. Test received	-	-	-	-	9 votes.
Scattering	-	-	-	-	13 votes.

No person having received a majority of all the votes given, the joint convention then proceeded to a fourth balloting.

On counting the votes it appeared that,

David Reynolds received	-	-	-	-	34 votes.
Erasmus D. Crookshank received	-	-	-	-	20 votes.
Andrew L. Robinson received	-	-	-	-	11 votes.
James Hughes received	-	-	-	-	42 votes.
John R. Jones received	-	-	-	-	14 votes.
Charles H. Test received	-	-	-	-	24 votes.
Scattering	-	-	-	-	4 votes.

No person having received a majority of all the votes given, the joint convention then proceeded to a fifth balloting.

On counting the votes it appeared that,

David Reynolds received	-	-	-	-	25 votes.
Erasmus D. Crookshank received	-	-	-	-	23 votes.
Andrew L. Robinson received	-	-	-	-	11 votes.
James Hughes received	-	-	-	-	38 votes.
John R. Jones received	-	-	-	-	9 votes.
Charles H. Test received	-	-	-	-	42 votes.

The joint convention then adjourned to meet at 2 o'clock, P. M.

On motion by Mr. Harlan,  
The House adjourned.

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*Two o'clock, P. M.*

The House met.

The question pending when the House went into joint convention, was the motion to print the communication of the Superintendent of Common Schools, which had been laid upon the table.

Mr. Line moved to take the communication from the table, and refer it to the committee on education, which motion prevailed, and said communication was so referred.

Mr. Kelso introduced,

No. 27. A bill to amend an act entitled an act for the relief of certain persons therein named, approved February 16, 1848;

Which was read three several times, the rules having been suspended therefor, and passed.

The Senate came into the Hall of the House, when both Houses again proceeded, by ballot, in joint convention, to a sixth balloting for Secretary of State.

On counting the votes it appeared that,

David Reynolds received,	-	-	-	19 votes.
Erasmus D. Crookshank received,	-	-	-	17 votes.
Andrew L. Robinson received,	-	-	-	12 votes.
James Hughes received,	-	-	-	37 votes.
John R. Jones received,	-	-	-	21 votes.
Charles H. Test received,	-	-	-	34 votes.
Scattering,	-	-	-	9 votes.

The names of Andrew L. Robinson and Erasmus D. Crookshank were withdrawn.

No person having received a majority of all the votes given, the joint convention then proceeded to a seventh balloting.

On counting the votes it appeared that

David Reynolds received,	-	-	-	30 votes.
James Hughes received,	-	-	-	53 votes.
John R. Jones received,	-	-	-	24 votes.
Charles H. Test received,	-	-	-	40 votes.
Scattering,	-	-	-	2 votes.

No person having received a majority of all the votes given, the joint convention then proceeded to an eighth balloting.

On counting the votes it appeared that

David Reynolds received,	-	-	-	30 votes.
John R. Jones received,	-	-	-	20 votes.
James Hughes received,	-	-	-	48 votes.
Charles H. Test received,	-	-	-	48 votes.
Scattering,	-	-	-	1 vote.
Blank,	-	-	-	1 vote.

No person having received a majority of all the votes given, the joint convention then proceeded to a ninth balloting.

On counting the votes it appeared that

David Reynolds received,	-	-	-	19 votes.
Erasmus D. Crookshank received,	-	-	-	12 votes.
James Hughes received,	-	-	-	43 votes.
Andrew L. Robinson received,	-	-	-	12 votes.
John R. Jones received,	-	-	-	9 votes.

Joshua M. W. Langsdale received,	- - -	2 votes.
Charles H. Test received,	- - -	49 votes.
Scattering,	- - -	3 votes.

No person having received a majority of all the votes given, the joint convention then proceeded to a tenth balloting.

On counting the votes it appeared that

David Reynolds received,	- - -	10 votes.
Erasmus D. Crookshank received,	- -	8 votes.
James Hughes received,	- - -	46 votes.
Andrew L. Robinson received,	- - -	15 votes.
John R. Jones received,	- - -	4 votes.
Charles H. Test received,	- - -	61 votes.
Scattering,	- - -	4 votes.

No person having received a majority of all the votes given, the joint convention then proceeded to an eleventh balloting.

On counting the votes it appeared that

David Reynolds received,	- - -	6 votes.
Erasmus D. Crookshank received,	- -	3 votes.
Andrew L. Robinson received	- - -	12 votes.
John R. Jones received,	- - -	3 votes.
Charles H. Test received,	- - -	62 votes.
James Hughes received,	- - -	58 votes.
Scattering,	- - -	4 votes.

No person having received a majority of all the votes given, the joint convention adjourned to meet on to-morrow, (Tuesday,) at 2 o'clock, P. M.

On motion by Mr. Line,  
The House adjourned.



TUESDAY MORNING, Dec. 12th, 1848.

The House met;

The Speaker laid before the House, the Report of the Agent of State.

On motion by Mr. Meredith,

The Report was laid upon the table, and 1000 copies ordered to be printed.

PETITIONS PRESENTED.

By Mr. Meredith,

The petition of citizens of Dalton township, Wayne county, praying for the enactment of a law prohibiting the sale of spirituous liquors, except for medicinal and mechanical purposes, in said township;

Which was referred to a select committee, consisting of Messrs. Meredith, Julian, and Commons.

By Mr. Line,

The petition of citizens of Franklin county, praying for a general index for the Recorder of Franklin county;

Which was referred to a select committee, consisting of Messrs. Line, Campbell, and Wood.

By Mr. Barbour,

The petition of the Treasurer, Auditor, and County Commissioners of Bartholomew county, to legalize the assessment of James G. Thompson;

Which was referred to a select committee, consisting of Messrs. Barbour, Jones of Bartholomew, and Jackman;

By Mr. Ford,

The petition of citizens of Jackson and Monroe counties, praying for a road from Fairfax, in Monroe county, to Findley's Mills, in Jackson county;

Which was referred to a select committee, consisting of Messrs. Ford, Jones of Bartholomew, and Parker of Brown.

By Mr. Brady,

The petition of Lewis L. Brown, asking for compensation for apprehending a horse thief;

Which was referred to the committee on claims.

On motion by Mr. Riley,

*Resolved*, That the committee on the judiciary be instructed to report a bill, at the earliest possible period of the present session, re-organizing the Probate Courts of this State, in such manner as to make Circuit Probate Courts, and requiring similar qualifications of such Probate Judges as are now required of President Judges of the Circuit Courts of this State, and the said Probate Judges be elected by the people.

On motion by Mr. Morgan,

*Resolved*, That the committee on the judiciary be requested to inquire whether section 336, chapter 40, of the Revised Statutes of 1843, applies to judgment rendered before justices of the peace, or not.

On motion by Mr. Kelso,

*Resolved*, That his Excellency, the Governor, be required to inform this House at the earliest day practicable; first, whether he has forwarded a copy of a preamble and joint resolution of the last session of the General Assembly, entitled a joint resolution in relation to the contract entered into between the State of Indiana and her bondholders, approved February 15, 1848, to the trustees of the Wabash and Erie canal, at their office at Terre Haute, as is by the 2d section of said joint resolution required.

2d. If so, have said trustees, or any of them, returned an answer thereto? And, that if an answer has been received by his Excellency, that he furnish a copy of such answer for the use of this House.

On motion by Mr. Duvall,

*Resolved*, That the committee on military affairs be requested to inquire into the expediency of abolishing the present system of military training in the State.

On motion by Mr. Allen,

*Resolved*, That the committee on the judiciary inquire what amendments, if any, of the laws now in force regulating the election, duties, and compensation of the prosecuting attorneys of the several counties of this State, are necessary, and that said committee report by bill or otherwise.

On motion by Mr. Rice,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so amending the present mode of assessing the revenue, that the assessors, previous to making an assessment, require of each tax payer on oath or affirmation, that he will give a true and correct account of the value of his personal property, to the best of his knowledge.

Mr. Hill offered the following preamble and resolution, which were adopted:

Whereas, the State of Indiana did select, appraise, and sell to her citizens certain lands known and denominated as the seven mile strip, located in the counties of Clinton, Howard and Cass; and whereas, said lands have been proclaimed for sale by the President of the United States, and serious doubts entertained whether the General Government has ever made a transfer of title to the State of Indiana;

*Therefore resolved*, That a select committee be appointed to inquire into the condition of said lands, and that the Auditor of Public Accounts, and Secretary of State, are hereby requested to give information in their possession, required by said committee, and said committee report to this House as soon as practicable.

Messrs. Hill, Blakemore, and Ross of Miami, were appointed said committee.

Mr. Johnson of Dearborn, offered the following resolution :

*Resolved*, That the committee on the affairs of the State Prison be instructed to inquire whether the lessee has not violated his contract with the State by working the convicts without the walls of the prison, by engaging them at employments that come in competition with the mechanics of Jeffersonville, and by inflicting corporal punishment upon the prisoners, in violation of law, and by his not engaging them in rolling of iron, as his contract specified, and report to this House at its earliest convenience by bill or otherwise, and that such committee have power to send for persons and papers.

Mr. Meredith moved to strike out the last clause, authorizing the committee to send for persons and papers.

On motion by Mr. Dobson,

The resolution and amendment were laid on the table.

On motion by Mr. Withers,

*Resolved*, That the committee on education be instructed to inquire into the expediency of so amending the school law as to place the funds for school purposes in the hands of township trustees of the several counties in this State to loan at interest, as other school funds are loaned.

On motion by Mr. Huddleston,

*Resolved*, That the committee on the judiciary be instructed to inquire what changes or modifications are necessary in the appraisement and execution laws, and report by bill or otherwise.

#### BILLS INTRODUCED.

Mr. Ford introduced

No. 28. A bill to amend an act entitled an act relative to high waters in Jackson county, approved February 16th, 1848.

Mr. Blakemore introduced,

No. 29. A bill to extend the duties of county surveyors.

Mr. Withers introduced,

No. 30. A bill to provide for the election of township assessors and collectors in Pike county.

Mr. Wolfe introduced,

No. 31. A bill to amend the 40th chapter of the Revised Statutes of 1843.

Mr. Julian introduced,

No. 33. A bill to amend an act entitled "an act to incorporate the Centreville and Abington Turnpike Company," approved Feb. 12, 1848.

Mr. Bryant introduced,

No. 33. A bill defining the duties of Administrators *de bonis non*, in certain cases.

Mr. Orr introduced

No. 34. A bill to regulate the fees and salaries of certain officers in Delaware county.

Mr. Wilson introduced

No. 35. A bill to authorize justices of the peace in Harrison county to perform the duties of Coroner in certain cases.

Mr. Vawter introduced

No. 36. A bill to change the name of Andrew Turner to that of John Anderson Burnes.

Mr. Johnston of Putnam introduced

No. 37. A bill to repeal an act entitled "an act to confine voters to their respective townships."

Mr. Lozier introduced

No. 38. A bill to vacate a part of a certain road in the county of Dearborn.

Which were each severally read a first time, and passed to a second reading.

ORDERS OF THE DAY.

*House Bills on their Second reading.*

No. 3. A bill to incorporate the Williamsburg and Centreville Turnpike company,

Was read a second time, and,

On motion by Mr. Julian,

Referred to the committee on corporations.

No. 5. A bill limiting the time for presenting complaints to grand juries.

Was read a second time, and,

On motion by Mr. Riley,

Referred to the committee on the judiciary.

No. 7. A bill to amend an act entitled "an act to incorporate the College Corner and Liberty turnpike company, and the Liberty and Abington turnpike company," approved Jan. 15th, 1844;

Was read a second time, and

Referred to a select committee consisting of,

Messrs. Starbuck, Julian, and Line.

No. 8. A bill to legalize a certain sale made by the Auditor of State;

Was read a second time, and,

On motion by Mr. Riley,

Referred to the committee on the judiciary.

No. 9. A bill to incorporate the Ladies' Sigourney Library;

Was read a second time, and,

On motion,

Referred to a select committee consisting of,

Messrs. Blakemore, Morgan, and Snook.

No. 11. A bill to provide for taking the sense of the qualified

voters of the State of Indiana, on the calling a convention to alter, revise, or amend, the constitution of the State ;

Was read a second time, when

Mr. Edwards moved to refer the bill to the committee on the judiciary with the following instructions :

To fix the time of taking the sense of the qualified voters of the State, as to whether they are in favor of calling a convention or not, at the general election to be held for Governor, at the time provided by the first section of the 8th act of the Constitution.

Mr. Line moved a division of the question.

The question being on a reference to the judiciary committee, was decided in the affirmative.

On motion by Mr. Edmonston,

The instructions were laid on the table.

No. 15. A bill regulating the duties of the Treasurer of Posey county ;

Was read a second time, and,

On motion by Mr. Mills,

Referred to the committee on ways and means.

No. 12. A bill to amend an act entitled "an act to incorporate the Madison and Brownstown turnpike company," which became a law the 11th of February, 1848 ;

Was read a second time, and,

On motion by Mr. Dunn,

Referred to the committee on corporations.

No. 14. A bill to ascertain and establish the boundaries of certain roads in the county of Warren ;

Was read a second time, when,

On motion by Mr. Snook,

The bill was amended by adding "Montgomery county."

On motion by Mr. Bryant,

The bill was referred to the committee on roads.

No. 17. A joint resolution in relation to the existing post office laws ;

Was read a second time, and,

On motion by Mr. Dobson,

The rules were suspended, the joint resolution read a third time, and passed.

No. 19. A bill regulating witnesses' fees in this State ;

Mr. Meredith moved to strike out the second section.

On motion by Mr. Frazer,

The bill was referred to the committee on the judiciary.

Mr. Kelso moved to reconsider the vote on referring the bill to the committee on the judiciary ;

Which motion prevailed.

On motion by Mr. Kelso,

The bill was laid on the table.

No. 20. A bill for the relief of Isaac Hardy and others.

Mr. Line moved to strike out "Lancaster," and insert "Lancashire;"

Which amendment was adopted.

The bill as amended was then ordered to be engrossed.

No. 21. A bill to authorize the board of county commissioners of the several counties of this State to employ physicians for the poor;

Was read a second time, when

Mr. Dougherty of Boone moved to strike out the last section of the bill, providing that the bill "shall take effect from and after its passage."

On motion by Mr. Wolfe,

The bill was referred to the committee on the judiciary.

No. 22. A joint resolution to vindicate the Indiana Brigade from slander and misrepresentation.

Mr. Orr offered the following amendment:

"That nothing contained in these resolutions shall be understood or construed as to cast any imputation whatever on General Zachary Taylor, for his report of said battle."

Mr. Rice moved to lay the amendment on the table.

The ayes and noes being demanded by Messss. Kelso and Meredith,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Barbour, Brady, Caldwell, Campbell, Casselberry, Chambers, Cravens, Dawson, Decker, Dobson, Dougherty of Boone, Doyle, Drake, Edmonston, Ford, Goldsberry, Harlan, Hicks, Hill, Howell, Huckelberry, Hughes, James, Johnson of Dearborn, Jones of Bartholomew, Jones of Huntington, Kelso, Line, Lrazier, Maddox, Mills, Nicholson, Osborn, Parker of Brown, Pierce, Place, Rice, Riley, Rippey, Ross of Miami, Ryan, Shaw, Snook, Spencer, Starbuck, Webster, Winstandley, Withers, Wolfe, Wood, Young and Mr. Speaker—54.

*Those who voted in the negative are.*

Messrs. Allen, Blakemore, Bryant, Bundy, Cockrum, Commons, Cotton, Cox, Donnohue, Dougherty of Morgan, Dowling, Dunn, Duvall, Edwards, Frazer, Gessie, Gillum, Goodwin, Graham, Huddleston, Hunt, Jackman, Johnston of Putnam, Julian, Kelly, Meacham, Meredith, Miller, Morgan, Orr, Parker of Allen, Rifner, Rousseau, Smith, Stanton, Tuttle, Vance, Vawter, Wade and Wilson—40.

So the amendment was laid on the table.

Mr. Drake moved to amend by adding after the word "facts," "as developed in the finding of the facts of the court of inquiry ordered at the request of Col. Bowles."

Mr. Meredith moved to amend the amendment by adding the following:

"And that our said Senators and Representatives shall also ascertain, and place upon the records of the War Department and the records of the country, the reasons why Gen. Lane did not call upon Col's Lane and Bowels for their reports of the conduct of their respective regiments, in accordance with the rules and usages of war."

Mr. Ross of Miami moved that the House adjourn,  
Which motion did not prevail.

Mr. Kelso moved to lay the amendment to the amendment on the table.

The ayes and noes being demanded by Messrs. Kelso and Meredith,

*Those who voted in the affirmative are.*

Messrs. Alden, Alexander, Barbour, Brady, Caldwell, Chambers, Cravens, Dawson, Decker, Dobson, Dougherty of Boone, Doyle, Drake, Edmonston, Ford, Goldsberry, Harlan, Hicks, Hill, Howell, Huckleberry, Hughes, James, Jones of Bartholomew, Jones of Huntington, Kelso, Line, Lozier, Maddox, Mills, Nicholson, Osborn, Parker of Brown, Pierce, Place, Rice, Riley, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Snook, Spencer, Thompson, Webster, Winstandley, Withers, Wolfe, Wood, Young and Mr. Speaker—53.

*Those who voted in the negative are,*

Messrs. Allen, Blakemore, Bryant, Bundy, Campbell, Cockrum, Commons, Cotton, Donnohue, Dougherty of Morgan, Dowling, Dunn, Duvall, Edwards, Frazer, Gessie, Gillum, Goodwin, Graham, Huddleston, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Julian, Kelley, Meacham, Meredith, Miller, Morgan, Orr, Parker of Allen, Rifner, Rousseau, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade and Wilson—41.

So the amendment to the amendment was laid on the table.

On motion by Mr. Meredith,  
The House adjourned.

*2 o'clock, P. M.*

The House met.

When the House adjourned the following joint resolution was under consideration :

No. 22. A joint resolution to vindicate the Indiana Brigade from slander and misrepresentation.

The question being on the amendment of Mr. Drake,

The Senate came into the Hall, when both Houses proceeded to a 12th balloting for Secretary of State, Messrs. Harvey and Randall acting as tellers on the part of the Senate, and Messrs. Donnouhe and Harlan on the part of the House.

On counting the votes it appeared that

Charles H. Test received	-	-	-	59 votes.
David Reynolds received	-	-	-	63 votes.
Scattering,	-	-	-	24 votes.

No person having received a majority of all the votes given, the joint convention then proceeded to a thirteenth balloting.

On counting the votes it appeared that

Charles H. Test received	-	-	-	76 votes.
David Reynolds received	-	-	-	60 votes.
Scattering,	-	-	-	11 votes.

Charles H. Test having received a majority of all the votes given, was declared by the President of the Conveetion, duly elected Secretary of State, to serve as such for the term of four years, from and after the expiration of the term of service of the present incumbent.

The President then adjourned the Convention.

The Senate returned to their chamber,

When the House went into a joint convention, "a joint resolution to vindicate the Indiana Brigade from slander and misrepresentation," was pending.

The question being on the amendment of Mr. Drake,  
Mr. Drake withdrew his amendment.

Mr. Cravens moved to refer the joint resolution to a select committee;

Which motion did not prevail.

The joint resolution was read a second time and ordered to be engrossed.

On motion by Mr. Dougherty, of Morgan,

The rules were suspended, and the joint resolution read a third time and passed.

On motion by Mr. Harlan,

The title of the joint resolution was amended to read as follows:

"A joint resolution in relation to the Second and Third Regiments of Indiana Volunteers.

*Ordered*, That the clerk inform the Senate thereof.

No. 23. A bill to authorize Jane Bushnell Jenks to hold and convey real estate;

Was read a second time,

Mr. Winstandley moved to amend by striking out "and any other real estate;"

Which was adopted.

The bill was then ordered to be engrossed.

No. 24. A bill to change the name of Isaac Plumb Pricket;

Was read a second time and ordered to be engrossed.

The rules being suspended, the bill was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 25. A joint resolution relative to postage on newspapers and other public document;

Was read a second time and ordered to be engrossed.

No. 26. A bill to authorize the Judge of the Probate Court of St. Joseph county to grant and try writs of habeas corpus, and for other purposes;

Was read a second time, and,

On motion by Mr. Kelso,

Referred to the committee on the judiciary.

#### SENATE BILL ON SECOND READING.

No. 1. A bill to authorize Robert Rossington to file a bill for a divorce at the January special term, 1849, of the Dearborn circuit court;

Was read a second and third time, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

#### HOUSE BILL ON SECOND READING.

No. 13. Bill to change the name of Mary Maranda Landrum. Was read a second and third time, the rules being suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

The Speaker laid before the House reports from the following branches of the State Bank of Indiana, viz:

Lawrenceburg, Richmond and Fort Wayne;

Which,

On motion by Mr. Edmonston,  
Was referred to the committee on the State Bank.  
Mr. Miller moved that the House adjourn ;  
Which motion did not prevail.  
Mr. Dobson offered the following resolution :

*Resolved*, That the House will, the Senate concurring therein, go into the election of a United States Senator, on to-morrow, (Wednesday the 13th,) at 10 o'clock.

Mr. Barbour moved that the House adjourn.

The ayes and noes being demanded by Messrs. Line and Barbour,

*Those who voted in the affirmative are,*

Messrs. Alexander, Allen, Barbour, Blakemore, Bryant, Bundy, Cockrum, Commons, Cotton, Cox, Decker, Donnohue, Dougherty of Morgan, Dunn, Duvall, Edwards, Frazer, Goldsberry, Hankins, Huddleston, Jackman, Johnston of Putnam, Julian, Kelley, Kelso, Maddox, Meacham, Meredith, Miller, Parker of Allen, Pierce, Rifer, Rousseau, Stanton, Vance, Vawter, Wade, Webster, and Wilson—39.

*Those who voted in the negative are,*

Messrs. Alden, Brady Caldwell, Casselberry, Chambers, Cravens, Dawson, Dobson, Dougherty of Boone, Dowling, Drake, Edmonston, Ford, Gillum, Goodwin, Graham, Harlan, Hicks, Hill, Howell, Huckleberry, Hughes, Hunt, James, Johnson of Dearborn, Jones of Bartholomew, Jones of Huntington, Line, Lozier, Mills, Morgan, Nicholson, Orr, Osborn, Parker of Brown, Place, Rice, Riley, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Snook, Spencer, Starbuck, Thompson, Tuttle, Winstandley, Withers, Wood, Young and Mr. Speaker—54.

So the House refused to adjourn.

Mr. Dowling moved to amend the resolution, by striking out "to-morrow," and inserting "Thursday next;"

Which amendment was not adopted.

Mr. Barbour moved to strike out "to-morrow," and insert "Saturday next;"

The ayes and noes being demanded by Messrs. Dobson and Barbour :

*Those who voted in the affirmative are,*

Messrs. Allen, Barbour, Blakemore, Bryant, Bundy, Cochran, Commins, Cotton, Cox, Donnohue, Dougherty of Morgan, Dowling,

Dunn, Duvall, Edwards, Frazer, Gessie, Gillum, Goodwin, Graham, Hankins, Huddleston, Jackman, Julian, Kelley, Kelso, Maddox, Meacham, Meredith, Miller, Morgan, Orr, Parker, of Allen, Pierce, Rousseau, Stanton, Starbuck, Vawter, Wade, Webster and Wilson—41.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Brady, Caldwell, Casselberry, Chambers, Cravens, Dawson, Decker, Dobson, Dougherty, of Boone, Drake, Edmonston, Ford, Goldsberry, Harlan, Hicks, Hill, Howell, Huckleberry, Hughes, Hunt, James, Johnson, of Dearborn, Johnston, of Putnam, Jones, of Bartholomew, Jones, of Huntington, Line, Lozier, Mills, Nicholson, Osborn, Parker, of Brown, Place, Rice, Rifner, Riley, Rippey, Ross, of Miami, Ross, of Wabash, Ryan, Shaw, Smith, Snook, Spencer, Thompson, Tuttle, Vance, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—54.

So the amendment did not prevail.

Mr. Meredith moved to strike out “to-morrow,” and insert “Friday;”

On motion by Mr. Rice,  
The House adjourned.

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WEDNESDAY MORNING, DEC. 13, 1848.

The House met.

PETITIONS PRESENTED.

By Mr. Wood,

The petition of citizens of Randolph county, praying for the enactment of a law to improve the breed of horses.

By Mr. Dougherty of Morgan,

The petition of John Ratliff, praying for the enactment of a law, allowing an additional justice of the peace in Adams township, Morgan county.

By Mr. Hicks,

The petition of Joseph Wayland, and others, for the relief of Magdaline Pfalzgraf, widow of Charles Pfalzgraf, an alien.

By Mr. Meredith,

The petition of John T Custer, praying for relief;

Mr. Meredith moved a suspension of the rules, in order to refer the petition,

Which motion did not prevail.

By Mr. Kelso,

The memorial of P. James, and others.

All of which petitions lie over one day, under a rule of the House.

Mr. Miller gave notice, that on to-morrow he would bring forward a resolution, to amend the 37th standing rule of the House.

On motion by Mr. Dobson,

The order of business was suspended, and the following resolution, which was under consideration when the House adjourned on yesterday, taken up,

*Resolved*, The House will, the Senate concurring therein, go into the election of a United States Senator on to-morrow, (Wednesday the 13th,) at 10 o'clock, A. M.

Mr. Meredith withdrew his amendment, which was pending when the House adjourned.

Mr. Barbour moved to reconsider the vote on the amendment of Mr. Dowling, which was to strike out "Wednesday," and insert "Thursday;"

Which motion to reconsider prevailed.

Mr. Dobson moved to amend by substituting "Wednesday, at 2 o'clock;"

Which motion did not prevail.

The question then being on the amendment of Mr. Dowling, Was decided in the affirmative.

Mr. Starbuck moved to lay the resolution on the table,  
Which motion did not prevail.

The question then recurring on the adoption of the resolution, as amended, was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The Speaker laid before the House, the Report of the Visiter of the State Prison.

Also, the Annual Report of the State Bank of Indiana.

Also, the Report of the Commissioners of the Sinking Fund.

#### REPORTS FROM COMMITTEES.

Mr. Johnston of Putnam, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred, the memorial of Joseph Collier, in relation to vacating certain town lots in Green-

castle, have had the same under consideration, and have directed me to report the accompanying bill, and respectfully recommend its passage:

No. 39. A bill to vacate a certain street, and certain town lots in the town of Greencastle, Indiana.

Which was read a first time, and passed to a second reading.

Mr. Dougherty of Boone, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred, the petition of the Trustees of school district No. 4, in township 20, north of range 1 east, praying an explanation of the 5th section, of chapter 94, of an act entitled, "an act to amend the fifteenth chapter of the Revised Statutes," approved Jan. 26, 1847, have had the same under consideration, and directed me to report the following bill, and recommend its passage:

No. 40. A bill explanatory of an act therein named.

Which was read a first time, and passed to a second reading.

Mr. Webster from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sundry citizens of Lagrange county, praying for the relief of Robert Jones, have directed me to report the following bill:

No. 41. A bill for the relief of Robert Jones;

Which was read a first time, and passed to a second reading.

Mr. Shaw, from a select committee, made the following report:

MR. SPEAKER:

The committee to whom was referred the petition of the Board of Commissioners for the county of Hamilton, beg leave to report the following bill, and respectfully recommend its passage:

No. 42. A bill to authorize the Commissioners of Hamilton county to borrow money;

Which was read a first time, and ordered to a second reading.

Mr. Dawson, from a select committee, made the following report:

MR. SPEAKER:

The committee to whom was referred the petition of John Spencer to vacate part of the town of Sparta, in Noble county, have

had the same under consideration, and directed me to report the following bill, and recommend its passage :

No. 43. A bill to vacate a part of the town of Sparta, in Noble county;

Which was read a first time, and passed to a second reading.

Mr. Blakemore, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred bill No. 9, entitled "an act to incorporate the Ladies' Sigourney Library," have had the same under consideration, and have directed me to report it back to this House, and recommend its passage ;

No. 9. A bill to incorporate the Ladies' Sigourney Library ;

Which was ordered to be engrossed.

Mr. Ford offered the following resolution :

*Resolved*, That the Principal and Assistant Clerks of the House of Representatives be authorized to employ Assistants when in their opinion it is necessary ;

Mr. Kelso moved to strike out that part of the resolution which allows the Assistant Clerk to employ Assistants ;

Which amendment was not adopted.

Mr. Line moved to amend by adding :

"*Provided*, The necessity of such assistance shall be made apparent to this House ;"

Which amendment was adopted.

Mr. Starbuck moved to amend by adding :

"*Provided*, Such Assistants as may be employed under this resolution shall not be allowed more than three dollars per diem for the time they may be actually engaged in service ;"

Which amendment was adopted.

The question on the adoption of the resolution was decided in the affirmative.

Mr. Line, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Franklin county, praying for a general index to the County Records, &c., have had the same under consideration, and beg leave to report the following bill, and recommend its passage :

No. 44. A bill authorizing the Recorder of Franklin county to make out a General Index ;

Which was read a first time, and passed to a second reading.

Mr. Edmonston, from a select committee of one from each Congressional District, asked and obtained leave for a further extension of time to report on the several joint resolutions referred to said committee.

On motion by Mr. Bundy,

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of transferring the duties of School Commissioner in the several counties of this State, to the County Treasurers thereof.

On motion by Mr. Hankins,

*Resolved*, That the committee of Ways and Means be instructed to inquire into the expediency and necessity of so amending the "Butler Bill," that the time of paying the interest upon the State Debt, shall be changed from January and July, to March and September.

*Resolved further*, That if the said committee shall find that such change shall be necessary and will enable the State to pay her interest punctually without resorting to loans, that the said committee be then instructed to report a bill authorizing the Governor, on behalf of the State, to make such an arrangement with our bond-holders.

On motion by Mr. Rippey,

*Resolved*, That the committee on education be instructed to inquire into the expediency of so amending the law relative to the collection of Seminary funds, so as to insure a more speedy collection of the same, and report by bill or otherwise.

On motion by Mr. Meacham,

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of abolishing the present ruinous probate system, and establishing in lieu thereof the surrogate system, or some other good system that will prevent estates from being squandered, and that the committee report a bill as early as practicable.

Mr. Withers offered the following resolution;

*Resolved*, That the committee on roads be and they are hereby instructed to inquire into the expediency of exempting licensed ministers of the Gospel from working on roads and highways.

Also, of levying an additional road tax on non-residents' lands, equal to the amount now paid by residents, including the two days' labor now required; and that they report by bill or otherwise.

Mr. Starbuck moved to amend by adding, after ministers of the gospel, "lawyers and physicians."

Mr. Duvall moved to amend the amendment by adding "all persons engaged on public works."

Mr. Miller moved to lay the resolution and amendments on the table; which motion did not prevail.

Mr. Stanton moved to amend by adding "members of the Legislature," which amendment was not adopted.

The question on the adoption of the resolution was decided in the affirmative.

On motion by Mr. Ross of Miami,

*Resolved*, That the committee on the Judiciary be required to inquire into the expediency of so amending the laws of this State, regulating the sale of property under execution, as that the same may be sold to the highest bidder at public sale, without appraisement; and also that executions issued by justices of the peace be returnable in ninety days, and by the circuit and probate courts in one hundred and twenty days; and that they report by bill or otherwise.

#### BILLS INTRODUCED.

Mr. Bundy introduced

No. 45. A bill to amend "an act to incorporate the Knightstown and Shelbyville Railroad company."

Mr. Morgan introduced

No. 46. A bill to amend "an act providing for the appointment of supervisors of highways in the counties of Decatur, Jefferson, and Spencer," approved, Dec. 26, 1844.

Mr. Stanton introduced

No. 47. A bill to amend article eleven of chapter 30 of Revised Statutes of 1843.

Mr. Drake introduced

No. 48. A bill in relation to witnesses in the circuit courts and others courts in this State.

Mr. Huckleberry introduced

No. 49. A bill relative to school funds in the county of Clark.

Mr. Stanton introduced

No. 50. A bill relative to the sureties of justices of the peace.

Mr. Alden introduced

No. 51. A bill to authorize a company to construct the Milton and Aurora turnpike.

Mr. Cox introduced

No. 52. A bill for the relief of Alvin N. Blackridge, and the heirs of Robert Thompson, deceased.

Mr. Goodwin introduced

No. 53. A bill for the relief of the voters of Daviess and Martin.

Mr. Bundy introduced

No. 54. A bill to amend an act entitled "an act to incorporate the town of Newcastle, in the county of Henry."

Mr. Johnson of Dearborn introduced

No. 55. A bill to amend "an act to authorize a company to construct the Aurora and Laughery turnpike," approved February 15, 1848.

Mr. Webster introduced

No. 56. A bill to prevent Treasurers and other officers from receiving constructive per centages.

Which were each severally read a first time, and passed to a second reading.

On motion by Mr. Stanton,

The rules were suspended, and the reports of the State officers taken up and considered.

Mr. Huckleberry moved that the report of the Visiter of the State Prison be laid on the rable, and 200 copies ordered to be printed.

Mr. Line moved that 590 copies be printed; which motion prevailed, and it was so ordered by the House.

Mr. Brady moved that the report of the commissioners of the sinking fund be laid on the table, and 500 copies ordered to be printed; which motion prevailed, and it was so ordered by the House.

Hr. Hendricks moved that the annual report of the State Bank be laid on the table, and 300 copies ordered to be printed.

Mr. Kelso moved that 500 copies be printed,

Which motion prevailed,

And it was so ordered by the House.

#### ORDERS OF THE DAY.

##### *House Bills on second reading.*

No. 28. A bill to amend an act entitled "An act relative to high waters in Jackson county," approved Feb. 16th, 1848;

Was read a second time.

Mr. Ford moved to strike out so much of the bill as provides for its publication in the State Sentinel;

Which amendment was adopted.

The bill was ordered to be engrossed.

No. 29. A bill to extend the duties of county surveyors;

Was read a second time, and ordered to be engrossed.

No. 30. A bill to provide for the election of township assessors and collectors in Pike county;

Was read a second time.

Mr. Withers moved to refer the bill to a select committee.

Mr. Meredith moved to refer the bill to the committee on ways and means;

Which motion did not prevail.

Mr. Kelso moved to refer the bill to a committee of ten, one from each congressional district.

Mr. Starbuck moved to instruct the committee as follows:

"And that said committee be instructed to inquire into the expediency of extending the provisions of the bill to the State."

On motion by Mr. Dobson,

The bill was referred to the committee on ways and means.

No. 31. A bill to amend the 40th chapter of the Revised Statutes of 1843;

Was read a second time, and,

On motion by Mr. Starbuck,

Referred to the committee on the judiciary.

No. 32. A bill to amend an act entitled "An act to incorporate the Centreville and Abington Turnpike Company," approved Feb. 12th, 1848;

Was read a second time, and ordered to be engrossed.

No. 33. A bill defining the duties of administrator's de bonis non, in certain cases;

Was read a second time, and,

On motion by Mr. Bryant,

Referred to the committee on the judiciary.

No. 34. A bill to regulate the fees and salaries of certain officers in Delaware county;

Was read a second time.

Mr. Harlan moved to refer the bill to the committee on the judiciary.

Mr. Rifner moved to instruct the committee to make the law general.

Mr. Bundy called for a division of the question.

The question first being on the reference,

Was decided in the affirmative.

The question on instructing the committee, was decided in the negative.

On motion by Mr. Johnston of Putnam,

The House adjourned.

2 o'clock, P. M.

The House met.

A message from the Senate by Mr. Emerson, their assistant Secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House

to go into the election of an United States Senator on Thursday, the 14th instant, at 10 o'clock, A. M.

ORDERS OF THE DAY.

*House Bills on second reading.*

No. 35. A bill authorizing justices of the peace in Harrison county to perform the duties of coroner in certain cases;

Was read a second time, and ordered to be engrossed.

No. 36. A bill to change the name of Andrew Turner to that of John Anderson Barnes;

Was read a second time, and ordered to be engrossed.

No. 37. A bill to repeal an act entitled an act to confine voters to their respective townships;

Was read a second time.

Mr. Morgan moved to amend by inserting "Decatur county."

Mr. Wolfe moved to amend by inserting "Sullivan county."

Mr. Howell moved to amend by inserting "Blackford county."

Mr. Dougerhty of Morgan, moved to amend by inserting "Morgan county."

Mr. Riley moved that the bill be indefinitely postponed.

The ayes and noes being demanded by Messrs. Julian and Riley,

*Those who voted in the affirmative are,*

Messrs. Alden, Brady, Bryant, Caldwell, Campbell, Chambers, Cockrum, Commons, Cox, Dawson, Decker, Dowling, Doyle, Edwards, Frazer, Gillum, Goldsberry, Goodwin, Graham, Hankins, Hendricks, Huckleberry, Huddleston, Hunt, James, Jones of Bartholomew, Jones of Huntington, Julian, Line, Lozier, Maddox, Meacham, Miller, Nicholson, Parker of Allen, Pierce, Place, Risner, Riley, Rippey, Ross of Miami, Ross of Wabash, Snook, Spencer, Stanton, Tuttle, Vance, Winsteadley, Wood and Young—50..

*Those who voted in the negative are,*

Messrs. Alexander, Allen, Barbour, Blakemore, Bundy, Buskirk, Casselberry, Cotton, Cravens, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Drake, Dunn, Duvall, Edmonston, Ford, Gessie, Hicks, Howell, Hughes, Jackman, Johnston of Putnam, Kelley, Kelso, Meredith, Mills, Morgan, Orr, Osborn, Parker of Brown, Rice, Rousseau, Ryan, Shaw, Smith, Starbuck, Thompson, Vawter, Wade, Webster, Wilson, Withers, Wolfe, and Mr. Speaker—46.

So the bill was indefinitely postponed.

No. 38. A bill to vacate a part of a certain road in the county of Dearborn;

Was read a second time, and,

On motion by Mr. Osborn,

Referred to the committee on roads.

The following communication was received from His Excellency, the Governor, in reply to a resolution of the House:

*To the Speaker of the House of Representatives:*

SIR:—In compliance with a resolution of the House of yesterday, the undersigned has to state for the information of that body, that he did forward a copy of a preamble and joint resolution of the last session of the General Assembly, entitled “a joint resolution in relation to the contract entered into between the State of Indiana and her bondholders,” approved Feb. 15, 1848, to the Trustees of the Wabash and Erie canal, at their office at Terre Haute; and that no answer thereto has as yet been received by “the said trustees or any of them.”

I have the honor to be, very respectfully,

Your obedient servant,

JAS. WHITCOMB.

DECEMBER 13th, 1848.

HOUSE BILLS ON THIRD READING.

No. 20. A bill for the relief of Isaac Hardy and others ;  
Was read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 23. A bill to authorize Jane Bushnell Jenks to hold and convey real estate ;

Was read a third time, and,

On motion by Mr. Kelso,

Laid on the table.

No. 25. A joint resolution relative to postage on newspapers and other public documents ;

Was read a third time,

On motion by Mr. Frazer, (and by the consent of the House,) The joint resolution was amended by inserting “States” instead of State.

Mr. Duvall moved to lay the joint resolution on the table ;

Which motion did not prevail.

The question on the passage of the joint resolution was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Coates, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bill thereof, entitled

No. 20. "An act authorizing the establishment of additional branches of the State Bank of Indiana;"

In which the concurrence of the House is respectfully requested.

The bill was read a first time, and passed to a second reading.

Mr. Dobson introduced

No. 57. A joint resolution in relation to the seat of Government of the United States;

Which was read a first time, and passed to a second reading.

Mr. Dunn introduced

No. 58. A joint resolution recommending a change in the present mode of electing the President and Vice President of the United States;

Which was read a first time and passed to a second reading.

Mr. Brady presented the petition of Wm. R. Smith and others, praying for an act of incorporation to a company to construct a Plank Road;

Which, under the rule of the House, lies over one day.

Mr. Orr gave notice that on to-morrow he would introduce a resolution to repeal the last clause in the 55th rule of the House.

On motion by Mr. Dobson,

*Resolved*, That the State Librarian be requested to return to this House the petition of James Galletty.

Mr. Dobson presented the remonstrance of Benjamin Ranard, against a tax for the support of free schools;

Which, under the rule of the House, lies over one day.

Mr. Starbuck introduced

No. 59. A bill to repeal an act entitled "an act concerning free negroes and mulattoes, servants and slaves," approved Feb. 10, 1831, and for other purposes;

Which was read a first time, and passed to a second reading.

On motion by Mr. Brady,

The House adjourned.



THURSDAY MORNING, DEC. 14, 1848.

The House met.

Mr. Miller, having given notice of the same on yesterday, offered the following amendment to the standing rules of the House :

Amend the thirty-seventh rule as follows: Strike out all from the word member in the second line, to the word one in the fifth line, and insert in lieu thereof the following: "and shall be disposed of as the House may direct."

Which was adopted.

Mr. Orr, having on yesterday given notice that he would offer a resolution to repeal the last clause in the 55th standing rule of the House, stated that he should decline offering any resolution repealing the above named rule.

The following petitions, presented on yesterday, came up in regular order for the consideration of the House.

The petition of citizens of Randolph county, praying for the enactment of a law to improve the breed of horses;

On motion by Mr. Wood,

The petition was referred to the committee on agriculture.

The petition of John Ratliff, praying for the enactment of a law allowing an additional justice of the peace in Adams township, Morgan county;

On motion,

The petition was referred to a select committee consisting of, Messrs. Dougherty of Morgan, Dougherty of Boone, and Buskirk.

The petition of Joseph Wayland and others, for the relief of Magdaline Pfolzgraf, widow of Charles Pfolzgraf, an alien;

On motion,

The petition was referred to a select committee consisting of, Messrs. Hicks, Brady, and Jackman.

The petition of John Custer, praying for relief.

On motion,

The petition was referred to a select committee consisting of, Messrs. Meredith, Julian, and Commons.

The memorial of P. James and others;

On motion,

The memorial was referred to a select committee consisting of, Messrs. Kelso, Ryan, and Shaw.

The petition of Wm. R. Smith and others, praying for an act of incorporation to a company to construct a plank road.

On motion,

The petition was referred to a select committee consisting of, Messrs. Drake, Brady, Vance, Wade, and Riley.

The remonstrance of Benjamin Ranard, against a tax for the support of free schools;

On motion,

The remonstrance was referred to the committee on education.

The Speaker laid before the House the report of J. G. Alvord, the superintendent of the feeder dam at Northport; which,

On motion by Mr. Edmonston,

Was referred to the committee on canals and internal improvements.

Mr. Doyle presented the petition of citizens of Montgomery and Tippecanoe counties, in relation to the common school law;

On motion by Mr. Line,

The petition was referred to the committee on education.

The Speaker laid before the House the report of the trustees of the Institute for the Blind.

Mr. Drake moved to lay the report on the table, and print 1000 copies.

Mr. Hunt moved to print 1000 copies for the use of this House, and 500 copies for the Institution; which motion prevailed, and it was so ordered by the House.

On motion by Mr. Harlan,

*Resolved*, That the Senate be invited to attend in the Hall of the House, *instanter*, for the purpose of going into the election of United States Senator, and that seats be provided for them on the right of the Speaker's chair.

On motion by Mr. Kelso,

*Resolved*, That the Auditor of State be and he is hereby required to inform this House, at the earliest practicable day,

*First*, whether appraisers have been appointed under the provisions of the 23d and 24th sections of an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie canal to Evansville, approved January 27, 1847, to re-appraise the Wabash and Erie canal lands west of Tippecanoe;

*Second*, Whether said appraisers (if appointed) have discharged that duty, and made report of their proceedings to the Auditor of State;

*Third*, If such report has been made, that he furnish a copy thereof to this House, and in connection therewith a statement showing the value of said lands, under their first appraisement;

*Fourth*, That he furnish to this House all such other and further information as he may be in the possession of, in regard to whether payments on said canal lands which have been sold, have been received under the first or second valuation, which payments have been made since said re-appraisement.

On motion by Mr. Dowling,

A call of the House was ordered, when all the members answered to their names except one.

On motion by Mr. Miller,

The absentee was sent for, and a further call of the House dispensed with.

The Senate came into the Hall of the House, when both Houses proceeded, in joint convention, by ballot, to the election of a U. S. Senator, from the State of Indiana, to fill the vacancy which will occur by the expiration of the term of service of the present incumbent; Messrs. English and Montgomery acting as tellers on the

part of the Senate, and Messrs. Dowling and Edmonston on the part of the House.

On counting the votes, it appeared that—

James Whitcomb received	-	-	-	75 votes.
Edward A. Hannegan received	-	-	-	15 votes.
Caleb B. Smith received	-	-	-	53 votes.
John Law received	-	-	-	2 votes.
Joseph G. Marshall received	-	-	-	1 vote.
Blank,	-	-	-	3 votes.

James Whitcomb having received a majority of all the votes given, was declared by the President of the Convention duly elected United States Senator from the State of Indiana, to serve as such for a term of six years from and after the 4th day of March, 1849, inclusive.

The President then adjourned the Convention.

The Senate retired to their chamber.

Mr. Harlan moved that the House adjourn.

The ayes and noes being demanded by Messrs. Frazer and Kelso,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Allen, Buskirk, Cotton, Decker, Dobson, Ford, Hankins, Harlan, Hendricks, Hucklebury, Huddleston, Hughes, Kelley, Kline, Line, Mills, Ross, of Wabash, Vance, Wood, and Mr. Speaker—22.

*Those who voted in the negative are*

Messrs. Blakemore, Bryant, Bundy, Caldwell, Campbell, Casselbury, Chambers, Cockrum, Commons, Cravens, Donnouhe, Dougherty, of Boone, Dougherty, of Morgan, Dowling, Doyle, Drake, Dunn, Duvall, Edmonston, Edwards, Frazer, Gessie, Gillum, Goodwin, Graham, Hicks, Hill, Hunt, Jackman, James, Johnson, of Dearborn, Johnston, of Putnam, Jones, of Bartholomew, Jones, of Huntington, Julian, Kelso, Lozier, Meacham, Meredith, Miller, Morgan, Nicholson, Odell, Orr, Osborn, Parker, of Allen, Parker, of Brown, Pierce, Place, Rice, Rifner, Riley, Rippey, Ross, of Miami, Rousseau, Ryan, Shaw, Smith, Snook, Spencer, Stanton, Starbuck, Thompson, Tuttle, Vawter, Wade, Webster, Wilson, Withers, Wolfe, and Young—71.

So the House refused to adjourn.

Mr. Ross, of Miami, presented the petition of citizens of Miami county, in relation to a bridge;

Which was referred to a select committee consisting of,  
Messrs. Ross, of Miami, Kelso, and Line.

Mr. Casselberry presented the petition of Ransom Phillips and others, praying relief from certain liabilities therein named.

On motion by Mr. Casselberry,

The petition was referred to the committee on education.

Mr. Ross, of Miami, presented the petition of John Zook and others;

On motion,

The petition was referred to the committee on education.

Mr. Edmonston from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the several joint resolutions on the subject of slavery in the territories of the United States, have had the subject under consideration and a majority of the committee have directed me to report.

All the resolutions referred to your committee, have for their object,

First—To declare that by the existing laws, the territories recently acquired from Mexico, are now free ; and

Secondly—That they ought to remain free.

In furtherance of these principles, one set of resolutions proposes to instruct our Senators, and request our Representatives in Congress, to vote for a law providing that there shall be neither slavery nor involuntary servitude in these territories ; the others declaring it to be expedient that Congress should pass a joint resolution, or other act, embodying a declaration of the existing laws on this subject, in said territories.

Your committee are of opinion, that it is more expedient to instruct our Senators and request our Representatives, to vote for a declaratory resolution, than for a prohibitory law :

First—Because, while the practical effect of both *are* the same, namely, to deter the slaveholders from carrying their slaves thither, the form and manner of the latter is much more offensive to the south, than that of the former which, (latter) under the name of Wilmot Proviso, has been the source of bitter and dangerous sectional quarrels.

Secondly—Because, while a prohibitory law is the appropriate form, in the case of slave territory, as for example, the North Western Territory, a declaratory resolution is the proper one in the case of free territory, like New Mexico and California, in the first case, slavery has to be excluded, in the second, it has no existence, and if any action be necessary, it can be only a public declaration of that fact, from an authorized source.

Thirdly—Because, in all probability, a declaratory resolution can be passed through both branches of Congress, while a prohibitory law is likely to fail in the Senate. In accordance with these views, the committee recommend the passage of a joint resolution, No. 18,

and the committee further recommend that the several other resolutions on the same subject, be laid on the table.

B. R. EDMONSTON, *Chairman.*

Mr. Edmonston moved to lay the report on the table ;  
Which motion prevailed.

Mr. Starbuck from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred the bill, entitled "an act to incorporate the Liberty and Abington Turnpike Company," have had the matter under consideration, and instruct me to report the bill back to the House, with an amendment, and recommend its passage.

No. 7. A bill to amend an act entitled "an act to incorporate the College Corner and Liberty Turnpike Company, and the Liberty and Abington Turnpike Company." Approved, Jan. 15, 1844 ;

On motion,  
The bill was referred to the committee on corporations.

Mr. Gillum offered the following resolution :

*Resolved*, That a committee of one from each judicial circuit in this State, be appointed to inquire into the expediency of reducing the fees and salaries of the officers of this State. Also, to ascertain the number of miles for which members of the General Assembly shall be entitled to claim mileage.

*And be it further Resolved*, That said committee be required to report at the earliest convenient period.

Mr. Bryant moved to strike out all after the word "*Resolved,*" and insert the following :

That the bill regulating the fees and salaries of the State and other officers, reported by a select committee at the last session, be withdrawn from the files of that session, and referred to a select committee of one from each judicial circuit, and that all bills now before the House, in relation to the subject of fees or salaries, be referred to the same committee.

Which amendment was accepted by Mr. Gillum.

The question on the adoption of the resolution, was decided in the affirmative.

The Speaker appointed the following committee under the resolution :

First Circuit, -	-	-	-	Mr. Bryant.
Second Circuit, -	-	-	-	Mr. Winstanley.
Third Circuit, -	-	-	-	Mr. Dunn.

Fourth Circuit,	-	-	-	Mr. Cotton.
Fifth Circuit,	-	-	-	Mr. Hicks.
Sixth Circuit,	-	-	-	Mr. Hankins.
Seventh Circuit,	-	-	-	Mr. Wolfe.
Eighth Circuit,	-	-	-	Mr. Ross of M.
Ninth Circuit,	-	-	-	Mr. Rippey.
Tenth Circuit,	-	-	-	Mr. Rousseau.
Eleventh Circuit,	-	-	-	Mr. Ryan.
Twelfth Circuit,	-	-	-	Mr. Parker of A.
Thirteenth Circuit,	-	-	-	Mr. Line.

**BILLS INTRODUCED.**

Mr. Lozier introduced,

No. 60. A bill to amend an act, entitled, an act to incorporate the White Water Valley Canal Company, approved January 20, 1842, and for other purposes.

Mr. Wolfe introduced,

No. 61. A bill to incorporate the Evansville and Terre Haute Rail Road.

Mr. Frazer introduced,

No. 62. A bill to amend an act, entitled, "an act to incorporate the Kosciusko, Elkhart and Miami Rail Road Company."

Mr. Blakemore introduced,

No. 63. A bill for the relief of John McCulloch of Cass county.

Which were each severally read a first time, and passed to a second reading.

Mr. Bryant introduced,

No. 64. A bill more effectually to provide for the security of school funds;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Edwards introduced,

No. 65. A bill relative to donations.

Mr. Lozier introduced,

No. 66. A bill relative to certain affairs in the county of Dearborn.

Mr. Place introduced,

No. 67. A bill for the relief of Aaron Wheeler, of Laporte county;

Which were each severally read a first time, and passed to a second reading.

On motion by Mr. Kelso,

The House adjourned.

*Two o'clock, P. M.*

The House met.

ORDERS OF THE DAY.

*House Bills on second reading.*

No. 39. A bill to vacate a certain street, and certain town lots, in the town of Greencastle, Indiana ;

Was read a second time, and

On motion by Mr. Dunn,

The bill was referred to the committee on the judiciary.

No. 40. A bill explanatory to an act therein named ;

Was read a second time, and

On motion by Mr. Meredith,

Referred to the committee on education.

No. 41. A bill for the relief of Robert Jones ;

Was read a second time, and

On motion by Mr. Starbuck,

Referred to the committee on claims.

No. 42. A bill, entitled, an act to authorize the Commissioners of Hamilton county to borrow money ;

Was read a second time, and

On motion by Mr. Ross of Miami,

The bill was amended by inserting Miami county.

The bill was then ordered to be engrossed.

No. 43. A bill to vacate a part of the town of Sparta, in Noble county ;

Was read a second time, and ordered to be engrossed.

No. 44. A bill to authorize the Recorder of Franklin county, to make out a general index ;

Was read a second time, and

On motion,

Referred to a select committee, consisting of Messrs. Line, Campbell, and Kelso.

No. 45. A bill to amend an act, entitled, "an act to incorporate the Knightstown and Shelbyville Rail Road Company ;

Was read a second time, and

On motion by Mr. Hendricks,

Referred to the committee on corporations.

No. 46. A bill to amend an act providing for the appointment of supervisors of highways, in the counties of Decatur, Jefferson, and Spencer, approved December 26th, 1844 ;

Was read a second time, and ordered to be engrossed.

No. 47. A bill to amend article eleven, chapter thirty, of the Revised Statutes of 1843 ;

Was read a second time, and

On motion by Edmonston,

Referred to the committee on the judiciary.

No. 48. A bill in relation to witnesses in the Circuit Courts, and other Courts in the State;

Was read a second time, and

On motion by Mr. Drake,

Referred to the committee on the judiciary.

A message from the Senate, by Mr. Emerson, their Assistant Secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed engrossed bill of the House, entitled :

No. 4. An act for the relief of Walter Hilt.

No. 49. A bill relative to school funds in the county of Clark; Was read a second time and ordered to be engrossed.

No. 50. A bill relative to the sureties of justices of the peace.

Was read a second time and ordered to be engrossed.

On motion by Mr. Wolfe,

The vote on ordering the bill to be engrossed, was reconsidered.

Wr. Wolfe then moved to refer the bill to the committee on the judiciary,

Which motion prevailed.

No. 51. A bill to authorize a company to construct the Milton and Aurora Turnpike;

Was read a second time, and,

On motion by Mr. Allen,

Referred to the committee on corporations.

No. 52. A bill for the relief of Alvin N. Blackledge, and the heirs of Robert Thompson;

Was read a second time and ordered to engrossed.

No. 53. A bill for the relief of the voters of the counties of Daviess and Martin;

Was read a second time.

Mr. Dobson moved to amend the bill by inserting "Owen county."

Mr. Riley moved to indefinitely postpone the bill.

The ayes and noes being demanded by Messrs. Kelso and Ross, of Miami,

*Those who voted in the affirmative are :*

Messrs. Alden, Brady, Chambers, Cox, Cravens, Dawson, Decker, Doyle, Edmonston, Frazer, Goldsberry, Hankins, Hendricks, Hill, Huckleberry, Huddleston, Hunt, James, Jones of Bartholomew, Jones of Huntington, Line, Meacham, Miller, Nicholson, Pierce,

Rifner, Riley, Rippey, Ross of Miami, Snook, Spencer, Stanton, Starbuck, Tuttle, Vance, Wood, and Young—37.

*Those who voted in the negative are:*

Messrs. Alexander, Allen, Blakemore, Bryant, Bundy, Casselberry, Cockrum, Commons, Cotton, Dobson, Donnouhie, Dougherty of Boone, Dougherty of Morgan, Drake, Dunn, Edwards, Ford, Jessie, Goodwin, Graham, Harlan, Hicks, Hughes, Jackman, Johnson of Dearborn, Johnston of Putnam, Kelley, Kelso, Lozier, Maddox, Meredith, Mills, Morgan, Orr, Osborn, Parker of Brown, Place, Rice, Ross of Wabash, Rousseau, Ryan, Shaw, Smith, Thompson, Wade, Webster, Wilson, Withers, Wolfe and Mr. Speaker—50.

So the bill was not indefinitely postponed.

On motion by Mr. Kelso,  
The House adjourned.

FRIDAY MORNING, DECEMBER 15, 1848.

The House met.

Mr. Hill moved that a call of the House be ordered ;  
Which motion did not prevail.

The Speaker laid before the House the reports of the Commissioners and Superintendent of the Hospital for the Insane.

Mr. Line moved to lay the report on the table, and print 1000 copies.

Mr. Dunn moved to print 5000 copies ;  
Which motion prevailed, and it was so ordered by the House.

#### PETITIONS PRESENTED.

The Speaker laid before the House the petition of James Galatty.

Mr. Dobson moved to refer the petition to a select committee,  
Which motion prevailed.

The Speaker appointed Messrs. Dobson, Drake, Edwards, and Kelso.

By Mr. Blakemore,  
The petition of the President and Directors of the Michigan road

company, praying for an amendment of the charter of said company;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Blakemore, Dougherty of Boone, and Hill.

By Mr. Bundy,

The petition of the citizens of Wayne township in Henry, praying for the enactment of a law prohibiting the sale or giving away of spirituous liquors in any quantity, large or small, except for sacramental, medical, and mechanical purposes;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Bundy, Risner, and Meredith.

By Mr. Meredith,

The petition of William Hawkins;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Meredith, Julian, and Commons.

By Mr. Rippey,

The petition of German citizens of Elkhart county, relative to the school law;

Which,

On motion,

Was referred to the committee on education.

By Mr. Meredith,

The petition of the citizens of Washington township, Wayne county, praying for the repeal of the "ten gallon law;"

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Meredith, Julian, and Commons.

#### REPORTS FROM COMMITTEES.

Mr. Wolfe, chairman of the Committee on Roads, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred House bill No. 14, a bill to ascertain and establish the boundaries of certain roads in the county of Warren, with an amendment to add the county of Montgomery, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage, and ask to be discharged, &c.

Which report was concurred in, and said bill ordered to be engrossed.

Leave of absence was granted to Mr. Barbour.

Mr. Edmonston moved to take from the table the report of the Select committee to whom was referred the several joint resolutions on the subject of slavery;

Which motion prevailed, and the report was taken up.

Mr. Julian, from the same select committee, made the following report on the part of the minority:

MR. SPEAKER :

The undersigned, members of the committee to whom was referred sundry joint resolutions against the extension of slavery, dissent from the report of the majority of said committee; and in thus dissenting they have thought it due, alike to themselves and to the subject, to give, in a brief manner, some of their reasons for so doing.

The joint resolutions reported by the majority of the committee, do not assert the power of Congress to exclude slavery from the territory in question by legislative enactment, nor do they contain any instruction to our Senators and Representatives in Congress to favor the exercise of any such power. They simply assert (what no one here denies,) that the territory is now free, and that it should remain free, and conclude by recommending to our Senator and Representatives to vote for a joint resolution recognizing it to be free, and to use "*all constitutional means*" to keep it free.

It may be true that slavery does not now exist in this territory, and it may also be true that it never can exist there without the aid of *positive law*; but the undersigned ask how long, in the absence of any restriction, it would be before the *creation* of such *positive law*? Congress may *declare* it to be free; but will the mere resolution *keep* it so? This is the question.

With no restraint or limitation, the territorial legislature will have the power to legislate on the subject of slavery, as well as upon all other subjects. The people then inhabiting this territory will decide for themselves, whether the institution of human slavery shall be tolerated among them or not. Every persons knows that the soil and climate of a large portion of this territory is adapted to slave labor. If left free to go there with their slaves, it is not difficult to come to the conclusion that they will do so; nor is it difficult to foresee that when there, their interests, as well as their feelings, will prompt them to create the institution to which they were accustomed. This will be the result of the *non-interference* policy, adopted by the majority of the committee. Nor in such event would our southeren brethren be to blame for so doing. They have been accustomed to the institution of slavery, and have been taught to regard it to some extent as a necessary evil, if not morally right. They are, therefore, an unsafe depository of the power of settling

the question. That power is very properly vested in Congress. This territory is national property. It neither belongs to the north or the south, the east or the west; and its destiny should not be submitted to the exclusive control of any particular interest or section of the country.

Every State in the Union is interested in its prosperity. The rapid increase in the population of this territory, the diffusion of general intelligence and liberal principles among its inhabitants, and the adoption by them of humane and liberal laws, will redound alike to the glory of the whole Union ; and no section of the country, or body of the people, should be allowed to engraft upon its institutions principles, which, although they might suit their convenience, would be prejudicial to the interests of the *Union at large*.

But it is said that Congress has not the power to exclude slavery from its territory. It appears to us that there is no doubt on this point. This power has been exercised from the days of Washington down to the present time, and has never been doubted, officially, by any of the distinguished men who have been called to act upon it. Provisions of this character have been incorporated into numerous territorial governments, and the validity of the same remains unquestioned.

It is too late *now* to controvert a principle which has been acted upon so often, and with such salutary effects. If Congress then has the power, why not recommend its exercise ?

The undersigned believe that the only effectual means of excluding slavery from this territory, is to apply to it the principles of the 6th section of the ordinance of 1787. Our own State was made free, and kept so by the adoption of this ordinance. To its benign influence we are indebted for much of our prosperity and greatness. Shall we now repudiate it, or shall we endorse it? Are we prepared to say, by our refusal to recommend its adoption in this territory, that it has been an injury to us, or that we are unwilling to extend its benefits to others?

The undersigned believe that it is due from Indiana, occupying the position that she does in reference to this ordinance, and in view of the end proposed to promptly endorse it, and recommend its adoption, whenever it may legally be done. In making this recommendation, the undersigned disclaim all intention or desire to interfere with the institution of slavery where it legally exists; or to inflame or excite the public mind on the subject; but believing the institution of slavery to be a great moral and political evil; and that its extension into this territory would operate prejudicial to the interests, the honor, and the glory of the Union, they believe it to be the duty of Congress, by prompt and efficient means, to check its further extension.

But it may be said that the instruction to our Senators and Representatives to oppose the extension of slavery by "*all constitutional means*" is sufficient.

The undersigned would prefer some expression of our views and

wishes, less equivocal. It in fact amounts to nothing. It imposes no responsibility. It may be construed to suit the views or desires of the person desired to be instructed. It is our duty to speak out, and to speak in language that cannot be doubted.

If no such action is taken by Congress *now*, it will have to be taken at some future time, when such action may produce more fearful results than to be feared now. Whether a State tollerating slavery would be admitted into the Union or not, the admittance or refusal would alike produce heartburnings and jealousy between the north and the south, greatly to be deplored, and which, in the opinion of the undersigned, might be avoided by any authoritative declaration that slavery should not exist there. This course the undersigned believe should be adopted.

They, therefore, cannot concur in the report of the majority of the committee; but recommend the adoption of the joint resolution No. 1, introduced by Mr. Julian, as a substitute for those reported by the majority of the committee.

J. B. JULIAN,  
W. M. DUNN,  
G. W. BLAKEMORE.

Mr. Harlan moved that the further consideration of the subject be postponed until Monday next at 10 o'clock, A. M.. and that it be made the special order for that day.

Which motion prevailed;

And it was so ordered by the House.

Mr. Dougherty of Morgan, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of John Ratliff and others, praying the enactment of a law authorizing the election of an additional justice of the peace in Adams township, Morgan county, Indiana, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 68. A bill to authorize the election of an additional justice of the peace in Adams township, Morgan county ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Ford,

*Resolved*, That the State Librarian be requested to return to this House bill of the Senate, No. 291, of last session.

Mr. Brady offered the following resolution :

*Resolved*, That the committee on the judiciary be directed to inquire into the expediency of reporting a bill at the earliest practicable time.

cable period, providing for the calling of a convention to amend the Constitution of this State in the following particulars; 1st. So that the sessions of the General Assembly shall be but once in two years, except when convened by order of the Governor, in cases of emergency. 2d. So that the County Seminary funds may go to the Common School fund. 3d. And so that the Auditor, Treasurer and Secretary of State, may be elected by the people.

Which was not adopted.

On motion by Mr. Kelso,

*Resolved*, That the committee on roads be instructed to inquire into the expediency of so amending the road law as to equalize taxation for road purposes fairly among residents and non-residents of the State.

On motion by Mr. Harlan,

*Resolved*, That the Annual Message of his Excellency, the Governor, communicated to the General Assembly at the present session, be committed to a committee of the whole House, and made the special order of the day for this day at 2 o'clock, P. M.

On motion by Mr. Bryant,

*Resolved*, That the Librarian be requested to return to this House the petition and papers of Ebenezer F. Lucas, presented to this House at its last session, and left among the unfinished business of that session.

On motion by Mr. Harlan,

*Resolved*, That Joseph Lawson, Esq., of the county of Marion, be and he is hereby permitted to sell chesnuts in the Hall of the House of Representatives during the present session of the Legislature.

Mr. Riley moved to amend the resolution so as to give the same privilege to any person.

On motion by Mr. Meredith,

The further consideration of the resolution was postponed until the 25th of December.

On motion by Mr. Stanton,

*Resolved*, That the judiciary committee be and they are hereby required, to inquire into the expediency of so amending the law relative to fugitives from labor, as that such fugitives may have the right of trial by jury on the first examination after his or her arrest.

#### BILLS INTRODUCED.

Mr. Huckleberry introduced

No. 69. A joint resolution relative to amendments to the Constitution.

Mr. Miller introduced

No. 70. A bill to repeal sec. 36, chapter 31, of the Revised Statutes of 1843.

Mr. Bundy introduced

No. 71. A bill to amend an act entitled "an act abolishing docket fees, and dispensing with final records in certain cases," approved Jan. 28, 1843.

Mr. Ryan introduced

No. 72. A bill to incorporate the Madison county Hydraulic and Manufacturing company.

Mr. Dougherty of Boone introduced

No. 73. A bill to amend chapter thirty of the Revised Statutes of 1843.

Mr. Kelso introduced

No. 74. A bill to exempt a homestead from forced sale in certain cases.

Mr. Parker of Allen introduced

No. 75. A bill to repeal so much of sec. 54, chapter 12, of the Revised Statutes of 1843, as requires the county Treasurer to attend at the places of holding elections in each township, for the purpose of collecting taxes, so far as relates to the county of Allen.

Mr. Hendricks introduced

No. 76. A bill providing for taking the sense of the qualified voters of this State, on calling a convention to alter, revise, or amend the constitution of this State.

Mr. Hicks introduced

No. 77. A bill relating to the Baptist Education Society for Indiana.

Mr. Hankins introduced

No. 78. A bill regulating the granting of license in the town of Connersville.

All of which were read a first time and passed to a second reading.

#### ORDERS OF THE DAY.

#### *Bills on their third reading.*

When the House adjourned on yesterday, the following bill was pending :

No. 53. A bill for the relief of the voters of the counties of Daviess and Martin.

The question being on the amendment of Mr. Dobson, which was to insert "Owen county,"

Mr. Morgan moved to amend the amendment by inserting "Decatur county;"

Which amendment to the amendment was adopted.

Mr. Smith moved to amend the amendment by inserting "Scott county;"

Which amendment to the amendment was adopted.

Mr. Parker of Brown moved to amend the amendment by inserting "Brown county ;"

Which amendment to the amendment was adopted.

Mr. Howell moved to amend the amendment by inserting "Blackford county ;"

Which amendment to the amendment was adopted.

Mr. Graham moved to amend the amendment by inserting "Spencer county ;"

Which amendment to the amendment was adopted.

Mr. Starbuck moved to amend the amendment by inserting every county in the State.

On motion by Mr. Hill,

The bill and amendments were laid on the table.

No. 54. A bill to amend an act entitled "an act to incorporate the town of Newcastle in the county of Henry ;"

Was read a second time and ordered to be engrossed.

No. 55. A bill to amend an act to authorize a company to construct the Aurora and Laughery Turnpike, approved Feb. 15, 1848 ;

Was read a second time and ordered to be engrossed.

No. 56. A bill to prevent treasurers and other officers from receiving constructive per-centages ;

Was read a second time, and,

On motion by Mr. Winstandley,

Referred to the committee on ways and means.

No. 57. A joint resolution in relation to the seat of government of the United States ;

Was read a second time, and ordered to be engrossed.

Mr. Dougherty of Morgan moved to suspend the rules and read the joint resolution a third time ;

Which motion did not prevail.

No. 58. A joint resolution recommending a change in the present mode of electing the President and Vice President of the United States ;

Was read a second time, and,

On motion by Mr. Ross of Miami,

Referred to the committee on elections.

No. 59. A bill to repeal an act entitled "an act concerning free negroes and mulattoes, servants and slaves," approved Feb. 10, 1831, and for other purposes ;

Was read a second time, and,

On motion by Mr. Dowling,

Referred to the committee on the judiciary.

No. 60. A bill to amend an act entitled "an act to incorporate the White Water Valley Canal Company," approved Jan. 20, 1842, and for other purposes ;

Was read a second time, and,

On motion by Mr. Edmonston;

Referred to the committee on canals and internal improvements.

No. 61. A bill to incorporate the Evansville and Terre Haute Railroad ;

Was read a second time, and,

On motion by Mr. Edmonston,

Referred to the committee on corporations.

No. 62. A bill to amend an act entitled "an act to incorporate the Kosciusko, Elkhart, and Miami Railroad company;"

Was read a second time.

Mr. Wolfe moved to refer the bill to the committee on corporations;

Which motion did not prevail.

The bill was then ordered to be engrossed.

No. 63. A bill for the relief of John McCulloch, of Cass county; Was read a second time, and ordered to be engrossed.

No. 65. A bill in relation to donations;

Was read a second time, and,

On motion by Mr. Kelso,

Referred to the committee on ways and means.

No. 66. A bill relating to certain officers in the county of Dearborn;

Was read a second time, and referred to the select committee of one from each judicial circuit, appointed under a resolution on the same subject.

No. 67. A bill for the relief of Aaron Wheeler, of Laporte county;

Was read a second time, and,

On motion by Mr. Kelso,

Referred to the committee on ways and means.

On motion by Mr. Osborn,

The House adjourned.

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*Two O'clock, P. M.*

The House met.

The House resolved itself into the committee of the whole on the Governor's message, Mr. Harlan in the chair. After remaining in session some time, the committee rose and made the following report:

MR. SPEAKER :

The committee of the whole House, to whom was referred the Annual Message of his excellency, the Governor, have, according to order, had the same under consideration, and have directed me to report that they have adopted the following resolutions, in which the concurrence of the House is respectfully requested :

1. *Resolved*, That so much of the Governor's message as relates to the financial condition of the State, be referred to the committee of ways and means.
2. *Resolved*, That so much of the Governor's message as relates to a loan of money, for the payment of interest on the State debt, be referred to the committee of ways and means.
3. *Resolved*, That so much of the Governor's message as refers to the propriety of the passage of laws, either directly, or indirectly, authorizing suits to be brought against the State upon *doubtful* claims, be referred to the committee on the judiciary.
4. *Resolved*, That so much of the Governor's message as relates to the subject of local legislation, be referred to a select committee of one from each judicial circuit.
5. *Resolved*, That so much of the Governor's message, as refers to the more effectual method of levying and collecting taxes, on invisible property, and the affixing pecuniary penalties on such as may refuse to give correct lists of their property, be referred to the committee of ways and means.
6. *Resolved*, That so much of the Governor's message as relates to the Institute for the Blind, be referred to the committee on scientific and benevolent institutions.
7. *Resolved*, That so much of the Governor's message as relates to the Hospital for the Insane, be referred to the committee on scientific and benevolent institutions.
8. *Resolved*, That so much of the Governor's message as relates to the condition of the Institute for the education of Deaf Mutes, be referred to the committee on benevolent and scientific institutions.
9. *Resolved*, That so much of the Governor's message as relates to the subject of calling a Convention to alter, revise, or amend the Constitution of this State, be referred to a select committee, to be composed of one member from each judicial circuit in this State.
10. *Resolved*, That so much of the Governor's message as relates to the subject of slavery in the newly acquired territories, be referred to the existing committee of ten, to which was referred the joint resolutions on that subject.
11. *Resolved*, That so much of the Governor's message as refers to the Adjutant General and Quarter Master General's office, be referred to the committee on military affairs.
12. *Resolved*, That so much of the Governor's message as relates to local legislation, be referred to the judiciary committee.
13. *Resolved*, That so much of the Governor's message as relates to the advantages and blessings of peace, be referred to the committee on military affairs.
14. *Resolved*, That so much of the Governor's message as refers to the funded debt, be referred to the committee on ways and means.

Which resolutions were concurred in by the House.

The Speaker laid before the House the following communication from the Auditor of State, in reply to a resolution of the House.

AUDITOR OF STATE'S OFFICE, }  
December 15, 1848. }

HON. GEORGE W. CARR.

*Speaker of the House of Representatives:*

SIR.—A copy of the resolutions adopted on yesterday in the House of Representatives, requiring me to furnish information in relation to the re-valuation of the Wabash and Erie canal lands west of Tippecanoe, &c., was delivered to me this morning. I reply to the resolutions in the order in which they were adopted.

*First.* Appraisers were appointed under the provisions of the 23d section of the "Act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie canal to Evansville," approved January 27, 1847, for the purpose of re-appraising the Wabash and Erie canal lands east and west of Tippecanoe.

*Second.* The appraisers, so appointed, called at this office early in August, 1847, for the purpose of procuring a list of the lands belonging to both divisions of the canal, (which I had made out in pursuance of the latter clause of the 23d section of the act aforesaid,) and proceeded immediately as I understood to the discharge of their duties as required in the 24th section of said act.

In the early part of December of the same year, the appraisers filed in the Auditor's office a copy of the appraisalment which they had made of the lands belonging to the Wabash and Erie canal west of Tippecanoe.

*Third.* This resolution requires me to furnish a copy of the new and also of the old valuation of these lands. To comply with this would be a work of very considerable labor, and would also require much time. I would therefore respectfully suggest that the books in this office, giving the information desired by the resolution, can be examined by any member or committee of the House of Representatives, or if required they can be placed temporarily in the care of the Clerk of the House for the inspection of the members.

*Fourth.* In answer to this resolution, I have to say, that my information is that the payments which have been made since the re-appraisalment of the lands have been made under the old valuation. I have understood that the trustees regard portions of the new valuation as illegal, and that for that reason they had suspended action under it.

The trustees themselves, however, will doubtless give the legislature a full explanation of their views and proceedings on this subject.

Respectfully submitted,  
D. MAGUIRE,  
*Auditor of State.*

On motion by Mr. Kelso,

The communication was laid on the table.

Leave of absence was granted to Mr. Rousseau.

No. 20. A bill (of the Senate) authorizing the establishment of additional branches of the State Bank of Indiana ;

Was read a second time, and,

On motion by Mr. Winstandley,

Referred to the committee on the State bank.

Mr. Ross of Miami moved to instruct the committee as follows :

Sec. —. That in case of the consent of the president and directors of the State bank, and the president and directors of each branch thereof, to the whole of the provisions of this act according to the charter of said bank, the franchises and powers of the bank shall be extended for the term of five years from and after the first day of January, 1857, when the same shall cease, allowing however to said bank and branches the two years contemplated in the charter for closing their business beyond the said time fixed ;

Which instructions were not adopted.

#### BILLS ON THIRD READING.

No. 9. A bill (of the House) to incorporate the Ladies Sigourney Library ;

Was read a third time and passed.

On motion by Mr. Blakemore,

The title of the bill was amended by inserting after the word library, "at Logansport."

No. 28. A bill to amend an act entitled "An act relative to high waters in Jackson county," approved February 16, 1848 ;

Was ready a third time and passed.

No. 29. A bill to extend the duties of county surveyors ;

Was read a third time.

Mr. Kelso moved to recommit the bill to a select committee, with the following instructions :

"To so amend the bill as to authorize county surveyors to administer oath to commissioners appointed to make partition of lands.

Also, to so amend as to give such surveyor power to take acknowledgment of deeds and mortgages ;"

Which motion to commit and instruct prevailed.

Mr. Hendricks moved to instruct the committee as follows :

"And that by filing with the Clerk of his county an oath, that he will faithfully discharge his duty as commissioner to view roads, assign dower, and make partition of lands, in any and every case in which he may be appointed, it shall not be necessary for said surveyor to make any oath in each particular case."

Which instructions were adopted.

Mr. Wolfe moved to further instruct the committee :

"To repeal the latter clause of the 16th section of the 10th chapter of the revised laws of 1843, page 203."

Mr. Bundy moved to lay the instructions on the table ;

Which motion did not prevail.

Mr. Buskirk moved,

"That the committee be further instructed to require the county surveyors to be elected by the people."

Which instructions were not adopted.

The Speaker appointed Messrs. Blakemore, Kelso and Hendricks, said committee.

No. 32. An act to amend an act entitled an "Act to incorporate the Centreville and Abington Turnpike Company," approved Feb. 12, 1848 ;

No. 35. An act authorizing Justices of the Peace in Harrison county, to perform the duties of Coroner in certain cases ;

No. 36. And act to change the name of Andrew Turner, *alias* John Turner, to that of John Anderson Barnes ;

Were severally read a third time and passed.

No. 42. A bill to authorize the commissioners of Hamilton county to borrow money ;

Was read a third time.

Mr. Young moved to amend the bill by inserting "Tipton county;"

And by unanimous consent of the House the bill was so amended.

The bill was then read a third time and passed.

On motion by Mr. Edmonston,

The title of the bill was amended to read as follows :

"An act to authorize the Commissioners of Hamilton, Miami, and Tipton counties to borrow money."

No. 43. A bill to vacate a part of the town of Sparta, in Noble county ;

Was read a third time, and,

The question being on the passage of the bill, was decided in the negative.

No. 46. An act to amend an act providing for the appointment of surveyors of highways in the counties of Decatur, Jefferson, and Spencer; approved Dec. 26, 1844;

No. 49. An act relative to school funds in the county of Clark;

No. 52. An act for the relief of Alvin N. Blacklidge, and the heirs of Robert Thompson, deceased ;

Were severally read a third time and passed.

Leave of absence was granted to Mr. Duvall.

A message from the Senate by Mr. Edmonston, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bills thereof, to-wit:

No. 7. An act to transfer certain cases now pending in the Harrison circuit court to the probate court of said county;

No. 11. An act to authorize the Secretary of State to send additional copies of the laws of the State to the county of Jay;"

No. 12. An act to fix the time of holding courts in the first Judicial circuit, and the probate county of Tippecanoe county;

No. 46. An act fixing the time of holding the courts in the counties of Lake, Porter, and Laporte;

In which the concurrence of the House is respectfully requested.

Which bills were read a first time and passed to a second reading.

A message from the Senate by Mr. Holloway, a Senator:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the fotlowing engrossed bills thereof, to-wit:

No. 10. An act to incorporate the Columbus, Nashville, and Bloomington Railroad Comyany;

No. 51. An act to amend an "act to amend and reduce into one the several acts relating to the corporation of the town of Vevay;" approved Jan. 20. 1846;

With which the concurrence of the House is respectfully requested.

Which bills were read a first time and passed to a second reading.

A message from the Senate, by Mr. Randall, a Senator:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed engrossed bills thereof, entitled:

No. 14. An act to amend an act, entitled, an act creating the Tippecanoe Court of Common Pleas, and defining its jurisdiction, approved January 18, 1848.

No. 34. An act to locate a State road in the counties of Decatur, Jennings, and Bartholomew.

In which the concurrence of the House is respectfully requested.

Which bills were read a first time, and passed to a second reading.

Leave of absence was granted to Mr. Shaw.

On motion by Mr. Ross of Miami,

The vote on the passage of the "bill to authorize the Commission-

ers of Hamilton, Miami, and Tipton counties to borrow money," was reconsidered.

Mr. Ross of Miami moved to recommit the bill to a select committee, with the following instructions :

"Amend by striking out the names of the persons therein named as county Commissioners, and insert, the Board of Commissioners of the counties of Hamilton, Miami, and Tipton."

The question on recommitting the bill, with the foregoing instructions, was decided in the affirmative.

The Speaker appointed Messrs. Shaw, Ross of Miami, and Young, said committee.

Mr. Brady presented the petition of Timothy Griffin, and others, for relief;

On motion by Mr. Line,

The petition was referred to the committee on claims.

Mr. Kelso from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred, the memorial of P. James, and others, praying relief from the burthen of taxation for corporation purposes, by the corporate authorities of the city of Rising Sun, on lands not within the recorded limits of said city proper, have had that subject under consideration, and have directed me to report the following bill and recommend its passage :

No. 80. A bill for the relief of certain land owners, within the corporate limits of the city of Rising Sun, in Ohio county ;

Which was read a first time, and passed to a second reading.

Mr. Edmonston introduced,

No. 80. A bill to repeal an act to provide for the election of a Prosecutor, in the several counties in this State ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Brady,

The House adjourned.

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SATURDAY MORNING, DEC. 16, 1848.

The House met.

The Speaker announced the following select committee, under a

**resolution of the House, to refer that part of the Governor's message which relates to local legislation, to a committee composed of one member from each judicial circuit, viz :**

|                     |   |   |   |   |                  |
|---------------------|---|---|---|---|------------------|
| First Circuit,      | - | - | - | - | Mr. Doyle.       |
| Second Circuit,     | - | - | - | - | Mr. Cravens.     |
| Third Circuit,      | - | - | - | - | Mr. Vawter.      |
| Fourth Circuit,     | - | - | - | - | Mr. Casselberry. |
| Fifth Circuit,      | - | - | - | - | Mr. Brady.       |
| Sixth Circuit,      | - | - | - | - | Mr. Rifner.      |
| Seventh Circuit,    | - | - | - | - | Mr. Alexander.   |
| Eighth Circuit,     | - | - | - | - | Mr. Hughes.      |
| Ninth Circuit,      | - | - | - | - | Mr. Place.       |
| Tenth Circuit,      | - | - | - | - | Mr. Buskirk.     |
| Eleventh Circuit,   | - | - | - | - | Mr. Young.       |
| Twelfth Circuit,    | - | - | - | - | Mr. Webster.     |
| Thirteenth Circuit, | - | - | - | - | Mr. Lozier.      |

**The Speaker announced the following select committee, under a resolution of the House, to refer that part of the Governor's message which relates to amendments to the Constitution, to a committee composed of one member from each judicial circuit, viz :**

|                     |   |   |   |   |                |
|---------------------|---|---|---|---|----------------|
| First Circuit,      | - | - | - | - | Mr. Snook.     |
| Second Circuit,     | - | - | - | - | Mr. Ford.      |
| Third Circuit,      | - | - | - | - | Mr. Kelso.     |
| Fourth Circuit,     | - | - | - | - | Mr. Edmonston. |
| Fifth Circuit,      | - | - | - | - | Mr. Drake.     |
| Sixth Circuit,      | - | - | - | - | Mr. Starbuck.  |
| Seventh Circuit,    | - | - | - | - | Mr. Donnoghue. |
| Eighth Circuit,     | - | - | - | - | Mr. Odell.     |
| Ninth Circuit,      | - | - | - | - | Mr. Frazér.    |
| Tenth Circuit,      | - | - | - | - | Mr. Dobson.    |
| Eleventh Circuit,   | - | - | - | - | Mr. Wood.      |
| Twelfth Circuit,    | - | - | - | - | Mr. Dawson.    |
| Thirteenth Circuit, | - | - | - | - | Mr. Morgan.    |

On motion by Mr. Dobson,

The reference was changed on the petition of Timothy Griffin, and others, from the committee on claims, to the committee on canals and internal improvements.

On motion by Mr. Julian,

The rules were suspended in order to enable him to introduce a bill.

Mr. Julian introduced,

No. 81. A bill amendatory of an act, entitled, "an act to incorporate the Hagerstown Canal Company," approved February 15th, 1841 ;

Which was read three several times, the rules having been suspended therefor, and passed.

PETITIONS PRESENTED.

By Mr. Hankins,

The petition of citizens of Fayette county in relation to bridges &c.  
Which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Hankins, Meredith, and Julian.

By Mr Buskirk,

The petition of Anna Welch of Martin county, praying for a divorce from Wm. O. Welch.

By Mr. Goodwin,

A joint resolution on the same subject, signed by Wm. O. Welch and Anna Welch, showing that all difficulties heretofore existing had been amicably settled, and protesting against a divorce;

On motion by Mr. Edmonston,

The above petition, and remonstrance was laid on the table.

By Mr. Gillum,

The petition of John Woodfill, and others, for divorce;

Mr. Vance moved to refer the petition to the committee on public buildings,

Which motion did not prevail.

Mr. Kelso moved to refer the petition to a select committee,

Which motion prevailed.

The Speaker appointed Messrs. Gillum, Kelso, and Rice, said committee.

By Mr. Harlan,

The petition of J. G. Vanhorn, and twelve others, of the counties of Grant and Blackford, praying for the organization of a school district, out of certain sections therein named;

On motion,

The petition was referred to a select committee, consisting of Messrs. Harlan, Howell, and Decker.

REPORTS FROM COMMITTEES.

Mr. Wolf chairman of the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred a resolution of the House instructing said committee to inquire into the expediency of exempting licensed Ministers of the Gospel from working on roads and highways also to levy an additional road tax on non-resident land holders, have had the same under consideration and have directed

me to report, that in the opinion of the committee it is inexpedient to legislate thereon, and ask to be discharged from any further consideration, &c;

Which report was concurred in.

Mr. Edmonston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 45, entitled, "an act to amend an act to incorporate the Knightstown and Shelbyville Railroad Company," have had the same under consideration, and have directed me to report the same back to the House and recommend its passage ;

Which bill was ordered to be engrossed.

Mr. Edmonston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 51, to incorporate the Milton and Aurora Turnpike Company, have had the same under consideration and have directed me to report the same back to the House with one amendment, which when adopted they recommend its passage.

Amend the bill as follows :

Sec. . The Board of Directors are hereby responsible in their individual capacity for all debts above the solvent stock, contracted in the prosecution of said road, and the Legislature reserves the right to alter, amend, or repeal this charter, on the violation by said company, of any of its provisions ;

Which amendment was concurred in.

The bill as amended was then ordered to be engrossed.

Mr. Dougherty of Morgan, from the committee on corporations, made the following report :

MR. SPEAKER :

The committeee on corporations to whom was referred bill of the House No. 3, entitled, "an act to incorporate the Williamsburgh and Centerville Turnpike Company," have had the same under consideration and have made sundry amendments thereto, which accompany this report, in which they ask the concurrence of the House, and if so concurred in, they recommend its passage.

Amend by adding the following sections :

Sec. 17. *And be it further enacted*, That the directors of this company and their private property shall be liable for the debts of said company by them created, over and above the solvent stock of the company.

Sec. 18. And the General Assembly hereby reserves the right to alter, amend, or repeal this charter, and the violation of any of the chartered drivileges of the said corporation ;

Which amendment was concurred in.

The bill was then ordered to be engrossed.

Mr. Edwards, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to which was referred the petition of the President and Trustees of the town of Lamasco city, in the county of Vanderburgh, asking for an amendment to their town charter, have had the same under consideration and instructed me to report to the House the following bill, and recommend its passage.

No. 82. A bill to incorporate the town of Lamasco city, and define the powers of the President and Trustees thereof;

Which was read a first time and passed to a second reading.

Mr. Bunday, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Wayne township in the county of Henry, praying the passage of a law applicable to said township, which shall prohibit the sale of all intoxicating drinks, except for certain purposes, have had the same under consideration and after mature deliberation thereon, have instructed me to report the following bill and recommend its passage.

No. 83. A bill to prevent intemperance in Wayne township in the county of Henry;

Which was read a first time and passed to a second reading.

Mr. Dunn, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of William R. Latta and others for the relief of Christian Aigner, have had the same under consideration and have instructed me to report to the House the following bill, and recommend its passage.

No. 84. A bill for the relief of Christian Aigner ;

Which was read a first time and passed to a second reading.  
Mr. Hankins, from a select committee, made the following report.

MR. SPEAKER :

The select committee to whom was referred a petition of sundry citizens of Fayette county in relation to bridges, &c., have had the same under consideration and directed me to report the following bill and recommend its passage.

No. 85. A bill in relation to bridges, &c., in Fayette county ;

Which was read a first time and passed to a second reading.  
Mr. Ford, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition signed by sundry citizens of the counties of Monroe, Lawrence, Brown, and Jackson, asking for the establishment of a State road from Fairfax in Monroe county, to Findley Mills in Jackson county, have had the same under consideration and have directed me to report the following bill, and recommend its passage.

No. 86. A bill to locate a State road from Fairfax in Monroe county, to Findley's Mills in Jackson county ;

Which was read first time and passed to a second reading.  
Mr. Line, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred a bill authorizing the Recorder of Franklin county to make a general index to the County Records, have had that matter under consideration, and have directed me to report the same back with one amendment, which, when adopted, they recommend its passage ;

No. 44. A bill to authorize the Recorder of Franklin county to make out a General Index ;

"To so amend the bill as to include in its provisions the county of Switzerland."

Which amendment was concurred in.

The bill was then ordered to be engrossed.

#### RESOLUTIONS.

On motion by Mr. Dowling,

*Resolved*, That the committee of ways and means be instructed

to inquire what provision, if any, should be made for funding unpaid coupons, due January, 1841, and belonging to the various classes of Bonds issued under authority of the General Assembly of this State, with leave to report by bill or otherwise.

Mr. Gillum offered the following resolution :

*Resolved*, That the committee on education be instructed to inquire into the expediency and propriety of converting the school fund arising from the sixteenth section of land donated for the use of schools, into one general and common fund ;

Which was not adopted.

On motion by Mr. Ford,

*Resolved*, That the Door-keeper be instructed to request the State Printer to report to this House when he will furnish the Governor's Message, printed in the German language.

Mr. Odell offered the following resolution :

*Resolved*, That the judiciary committee be instructed to inquire into the expediency of reporting a bill to repeal so much of the present law in relation to the collection of debts, as relates to the appraisement of property, and that said committee have leave to report by bill or otherwise ;

Which was not adopted.

Mr. Cotton offered the following resolution :

*Resolved*, That the 8th Standing Rule of the House be so amended as to authorize the appointment of a standing committee on manufactures and commerce, in addition to the committees authorized by said rule ;

Which resolution, under the rule, lies over one day.

#### BILLS, &c., INTRODUCED.

Mr. Withers introduced,

No. 87. A bill to provide for the election of Circuit Probate Judges ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Edmonston,

The rules were suspended, the bill read a second time, and, Referred to the committee on the judiciary.

Mr. Meredith introduced,

No. 88. A bill to facilitate the discharge of mortgages given to the State of Indiana for the payment of Bank Stock ;

Which was read a first time, and passed to a second reading.

The rules being suspended, the bill was read a second time, and referred to the committee on the State Bank.

Mr. Winstandley introduced,

No. 89. A bill to authorize the Governor of the State to sell certain rocks belonging to the State of Indiana;

Which was read a first time, and passed to a second reading.

Mr. Maddox introduced,

No. 90. A bill for the relief of Baker Spence;

Which was read a first time, and passed to a second reading.

Mr. Ford introduced,

No. 91. A bill for the relief of Cain Dockry;

Which was read a first time, and passed to a second reading.

On motion by Mr. Ford,

The rules were suspended, and the bill read a second time, and referred to a select committee, consisting of Messrs. Ford, Riley, and Cravens.

Mr. Place introduced,

No. 92. A bill to authorize the Commissioners of LaPorte county to borrow money, and for other purposes;

Mr. Rice introduced,

No. 93. A bill relative to County Surveyors;

Mr. Bundy introduced,

No. 94. A bill to authorize the erection of a new Seminary in Henry county;

Which were each severally read a first time, and passed to a second reading.

#### ORDERS OF THE DAY.

##### *House Bills on Second Reading.*

No. 68. A bill authorizing the election of an additional justice of the peace in Adams township, in Morgan county;

Was read a second time and ordered to be engrossed.

No. 69. A joint resolution relative to amendments in the Constitution;

Was read a second time, and,

On motion by Mr. Edmonston,

Referred to the select committee appointed on the same subject.

No. 70. A bill to repeal section 36, chapter 31, of the Revised Statutes of 1843;

Was read a second time, and,

On motion by Mr. Miller,

Referred to the committee on the judiciary.

No. 71. A bill to amend an act, entitled "An act abolishing docket fees and dispensing with final records in certain cases," approved January 28, 1843;

Was read a second time, and,

On motion by Mr. Edmonston,

Referred to the committee on the judiciary.

No. 72. A bill to incorporate the Madison County Hydraulic and Manufacturing Company;

Was read a second time, and,

On motion by Mr. Kelso,

Referred to the committee on corporations.

No. 73. A bill to amend chapter thirty of the Revised Statutes of 1843;

Was read a second time, and,

On motion by Mr. Frazer,

Referred to the committee on the judiciary.

No. 74. A bill to exempt a homestead from forced sale in certain cases;

Was read a second time, and,

On motion by Mr. Hendricks,

Referred to the committee on the judiciary.

No. 75. A bill to repeal so much of section 54, chapter 12, of the Revised Code of 1843, as requires the county treasurers to attend at the places of holding elections in each township for the purpose of collecting taxes, so far as relates to the county of Allen;

Was read a second time.

On motion by Mr. Bundy,

The county of Henry was inserted in the bill.

On motion by Mr. Dunn,

The county of Jefferson was inserted in the bill.

On motion by Mr. Hughes,

The county of White was inserted in the bill.

Mr. Buskirk moved to make the provisions of the bill general.

On motion by Mr. Parker of Allen,

The amendment of Mr. Buskirk was laid on the table.

Mr. Edwards moved to amend the bill by adding in the proper place—

“ Unless the board doing county business in said counties direct otherwise.”

Mr. Buskirk moved to refer the bill to the select committee on local legislation;

Which motion did not prevail.

The bill was then ordered to be engrossed.

No. 76. A bill providing for taking the sense of the qualified voters of this State, on the calling a Convention to alter, revise, or amend the Constitution of this State;

Was read a second time, and,

On motion by Mr. Edmonston,

Referred to the select committee appointed on the same subject.

No. 77. A bill relating to the Baptist Education Society for Indiana;

No. 78. A bill regulating the granting of licenses in the town of Connersville;

No. 79. A bill for the relief of certain land owners within the corporate limits of the city of Rising Sun, in Ohio county;

Were each severally read a second time, and ordered to be engrossed.

No. 80. A bill to repeal an act to provide for the election of prosecuting attorneys in this State;

Was read a second time, and,

On motion by Mr. Bundy,

Referred to the committee on the judiciary.

SENATE BILLS ON SECOND READING.

No. 7. A bill to transfer certain cases now pending in the Harrison circuit court to the probate court of said county;

Was read a second time, and ordered to a third reading.

No. 10. A bill to incorporate the Columbus, Nashville, and Bloomington Railroad Company;

Was read a second time, and,

On motion by Mr. Starbuck,

Referred to the committee on corporations.

No. 11. A bill to authorize the Secretary of State to send additional copies of the laws of the State to the county of Jay;

Was read a second time, and ordered to a third reading.

No. 12. A bill to fix the time of holding courts in the first judicial circuit, and the probate court of Tippecanoe county;

Was read a second time, and,

On motion,

Referred to a select committee, consisting of

Messrs. Spencer, Doyle, and Goldsberry.

No. 14. A bill to amend an act, entitled "An act creating the Tippecanoe court of common pleas and defining its jurisdiction," approved Jan. 18, 1848;

Was read a second time, and,

On motion,

Referred to a select committee, consisting of

Messrs. Doyle, Goldsberry, and Maddox.

On motion by Mr. Withers,

The House adjourned.

*Two o'clock, P. M.*

The House met.

ORDERS OF THE DAY.

*Senate bills on second reading.*

No. 51. A bill to amend "an act to amend and reduce into one, the several acts relating to the corporation of the town of Vevay," approved, Jan. 20, 1846;

Was read a second time and ordered to a third reading.

No. 34. A bill to locate a State road in the counties of Decatur, Jennings, and Bartholomew;

Mr. Vawter moved to amend the bill by striking out "Clerk's Office," wherever the words occur, and insert in lieu thereof, "County Auditor's Office;"

Which amendment was adopted.

The bill was then ordered to a third reading.

No. 46. A bill fixing the time of holding the courts in the counties of Lake, Porter, and Laporte;

Was read a second time; and,

On motion,

Referred to a select committee consisting of, Messrs. Frazer, Spenceer, and Place.

Mr. Casselberry from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills, have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled.

No. 4. An act for the relief of Walter Hilt;

Whereupon, the Speaker signed the same.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate, by Mr. Holloway, a Senator:

MR. SPEAKER:

I am authorized by the Senate, to inform the House of Representatives, that the Senate has passed bill of the House, No. 81, entitled "an act amendatory of an act, entitled an act to incorporate the Hagerstown Canal Company;" approved, Feb. 15, 1841, without amendment.

Mr. Drake from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Marion county, praying a charter to construct a plank road, have had the same under consideration and directed me to report the following bill, and recommend its passage :

No. 95. A bill to incorporate the Central Plank Road Company ; Which was read a first time and passed to a second reading.

HOUSE BILLS ON THIRD READING.

No. 14. A bill to ascertain and establish the boundaries of certain roads in the county of Warren ;

On motion,

The county of Montgomery was added to the title.

No. 54. A bill to amend an act entitled "an act to incorporate the town of Newcastle, in the county of Henry ;"

No. 55. A bill to amend an act to authorize a company to construct the Aurora and Laughery Turnpike, approved, Feb. 15, 1848 ;

No. 57. A joint resolution in relation to the seat of Government of the United States ;

No. 62. A bill to amend an act entitled "an act to incorporate the Kosciusko, Elkhart, and Miami Rail Road Company ;"

No. 63. A bill for the relief of John McCulloch of Cass county ; Which were severally read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate has passed an engrossed bill of the House, entitled,

No. 64. An act more effectually to provide for the security of school funds ;"

Without amendment.

Also, the Senate has passed engrossed bills thereof, entitled,

No. 23. An act to incorporate the trustees of the Greencastle Female Collegiate Seminary ;

No. 42. An act defining the duties of county Treasurers, in the several counties therein named ;

No. 62. An act to legalize the location of a certain State road therein named ;

In all of which the concurrence of the House is respectfully requested.

All of which were read a first time and passed to a second reading.

Mr. Casselbury from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled, to-wit :

Whereupon, the Speaker signed the same.

*Ordered,* That the Clerk inform the Senate thereof.

On motion by Mr. Meredith,

The House took up a bill of the last session, which had been presented to the Governor, for his signature, within less than five days of the adjournment, and which the Governor had returned with his objections, on the third day of the present session. The title of the bill is as follows :

No. 422. An act in relation to that portion of the Northern Division of the Central Canal, which lies between Broad Ripple, in Marion county, and Waverly, in Morgan county ;

On motion by Mr. Riley,

The House adjourned.

MONDAY MORNING, DEC. 18, 1848.

The House met.

The Speaker laid before the House the following communication from the President of the Board of Trustees of the Indiana University:

HON. GEORGE W. CARR,

*Speaker of the House of Representatives,*

Please lay before the House of Representatives, over which you preside, the accompanying annual report of the Trustees of the Indiana University.

Respectfully,

D. H. MAXWELL,

Pres't of the Board of Trustees.

BLOOMINGTON, Dec. 12, 1848.

On motion by Mr. Buskirk,  
The report was laid on the table, and 1,000 copies ordered to be printed.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill and joint resolution of the House without amendment, to-wit:

No. 24. An act to change the name of Isaac Plum Prickett.

No. 25. A joint resolution in relation to the postage on newspapers and other documents.

PETITIONS PRESENTED.

By Mr. Morgan,

The petition of Zebina Warriner, for authority to file a bill in chancery in the Decatur circuit court.

Which,

On motion,

Was referred to a select committee consisting of, Messrs. Morgan, Vawter, and Gessie.

By Mr. Chambers,

The petition of citizens of Warrick county, for a divorce of James M. Speadley from his wife.

Which,

On motion,

Was referred to a select committee, consisting of, Messrs. Chambers, James, and Parker of Brown.

By Mr. Wood,

The petition of John Smith praying a divorce from Ann Mary Smith, his wife.

Which,

On motion,

Was referred to a select committee consisting of, Messrs. Wood, Decker, and Maddox.

By Mr. Rippey,

The petition of ladies of Elkhart county on subject of female education :

Also, a communication on the same subject.

Which,

On motion by Mr. Rippey,

Were referred to the committee on education.

By Mr. Campbell,

The petition of citizens of Franklin county, praying for a charter for a McAdamized Road.

Which,

On motion,

Was referred to a select committee consisting of, Messrs. Campbell, Line, and Julian.

By Mr. Nicholson,

The petition of T. W. Webster and others, to locate a State road from Crawfordsville, in Montgomery county, to Danville, in Hendricks county, via Ladoga and North Salem.

On motion by Mr. Nicholson,

The petition was referred to the committee on roads.

#### REPORTS FROM COMMITTEES.

Mr. Kelso, from the committee on the judiciary, made the following report :

**MR. SPEAKER :**

The judiciary committee to whom was referred a resolution referring to their consideration so much of the Governor's message as directed the attention of the Legislature to the propriety of the passage of laws, either directly or indirectly, authorizing suits to be brought against the State upon doubtful claims, &c., have had that matter under consideration, and are unanimously of opinion that where the State, through and by means of any of her proper authorities, enters into any contract, either express or implied, with any of her citizens, by means whereof the State becomes indebted to her citizens, or any of them, either directly or impliedly, and the State by her proper authorities aforesaid, refuses to pay said indebtedness when thereunto requested, the same being due and payable, that it is right, just and proper for the Legislature in such cases to interpose the passage of such laws, as will enable the citizen to establish the justness of his claim against the State, and that when the same is so established, that he shall have judgment therefor, and be paid by the State without unnecessary delay.

Your committee deem this to be the only proper and legitimate mode of settling those doubtful claims, inasmuch as they deny the constitutional power of the Legislature to adjudicate upon the rights of parties in a matter of disputed claims, or in other words in a question of indebtedness or no indebtedness.

This being in the opinion of your committee the legitimate province of the judicial department of our State government, and not that of the Legislature, they are satisfied that the only proper mode of adjusting disputes of this sort between the State and her citizens is by a judicial investigation of the rights of the parties respectively.

After a proper investigation by the legally constituted judicial authorities, if a claim be well established and found against the State, it will then be the proper subject for Legislative interference, to make provision for the payment thereof.

Inasmuch as the State is an independent sovereignty and not sueable by any of her citizens, without express authority of law for

so doing, your committee are of opinion that it is not only proper, but that in many instances justice and a proper regard for the rights of our citizens demand the passage of laws by the legislative department authorizing the citizen to maintain suits at law or in chancery against the State in the judicial courts thereof, and your committee are fully satisfied that the practice and custom heretofore adopted by the Legislature, of granting to her citizens relief by authorizing them to maintain suit against the State, is one founded in justice and sound policy, and ought not to be abandoned, as it furnishes the only legitimate mode by which the merits of the controversy can be fully and fairly investigated, where both parties have the opportunity of calling witnesses to establish facts, and before a tribunal which is capable of applying the law, to the facts as established by testimony. It is to the legal tribunals of the country that our citizens have to submit their claims upon each other, and your committee conceive that it would be a denial of common justice, where the State becomes a contracting party, with her own citizens, that she should be clothed with entire irresponsibility, and no means left to them, of establishing their claims against her. Your committee therefore ask to be discharged from any further consideration on the subject.

On motion by Mr. Edmonston,  
The report was laid on the table.

Mr. Kelso, from the committee on the judiciary, made the following report :

**MR. SPEAKER :**

The judiciary committee to whom was referred bill No. 39, entitled an act to vacate a certain street and certain town lots in the town of Greencastle, Indiana, have had that subject under consideration, and directed me to report that in the opinion of your committee the laws now in force in article 2d, chapter 24, of the Revised Statute of 1843, and the provisions therein contained are ample and sufficient, and that an application to the local authorities would furnish a much better opportunity to all parties concerned to be heard.

Your committee therefore recommend that the said bill be laid on the table.

Which was concurred in.

Mr. Kelso, from the committee on the judiciary, made the following report :

**MR. SPEAKER :**

The judiciary committee, to whom was referred bill No. 48, in relation to witnesses in the circuit court and other courts in this

State, have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be indefinitely postponed.

The question being on concurring in the report,  
The ayes and noes being demanded by Messrs. Drake and Kelso,

*Those who voted in the affirmative are :*

Messrs. Allen, Blakemore, Bryant, Bundy, Buskirk, Casselberry, Cotton, Cox, Cravens, Dawson, Decker, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Doyle, Dunn, Edmonston, Frazer, Ford, Goldsberry, Goodwin, Graham, Hankins, Harlan, Hendricks, Hicks, Howell, Huckleberry, Huddleston, Hunt, Jackman, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Julian, Kelley, Kelso, Lozier, Maddox, Meacham, Miller, Nicholson, Orr, Parker of Allen, Parker of Brown, Pierce, Place, Rice, Rifner, Riley, Ross of Wabash, Rousseau, Ryan, Shaw, Smith, Snook, Spencer, Stanton, Thompson, Tuttle, Vawter, Wade, Webster, Wilson, Winstandley, Withers, Wood, and Mr. Speaker—71.

*Those who voted in the negative are :*

Messrs. Alden, Brady, Caldwell, Campbell, Chambers, Commons, Dowling, Drake, Edwards, Hill, Hughes, Line, Mills, Morgan, Odell, Osborn, Rippey, Starbuck, Vance, Wolfe, and Young—21.

So the report was concurred in.

Leave of absence was granted to Messrs. Gillum and Ross of Miami.

On motion by Mr. Dobson,

The order of business was suspended to enable him to make the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of James Galletly, have instructed me to report the following resolution and ask its adoption :

*Resolved*, That the select committee to whom was referred the petition of James Galletly, have power to send for persons and papers.

On motion by Mr. Stanton,

The report was laid on the table, to be taken up at 2 o'clock, P.M.

Mr. Dowling, having obtained leave, offered the following resolution :

*Resolved*, That a committee of two be appointed by this House, to act with a similar committee on the part of the Senate, whose duty it shall be to examine the bonds surrendered to the Agent of State, at New York, since his last annual communication, and to report the facts to this General Assembly.

*Resolved*, That the Senate be informed of the adoption of this resolution, and a similar committee requested on the part of the Senate.

Which was adopted.

Messrs. Dowling and Harlan were appointed said committee on the part of the House.

The Speaker laid before the House the following communication from the State Printer, in reply to a resolution of the House :

STATE JOURNAL OFFICE, }  
INDIANAPOLIS, Dec. 18, 1848. }

*Hon. G. W. Carr,*

*Speaker of the House of Representatives:*

In compliance with a resolution of the House in relation to the time when the German Messages can be printed, I have to reply that there is now a German printing office in this city, and that the Messages will be ready for delivery the first of next week.

Yours, &c.,

JOHN D. DEFREES, *State Printer.*

The hour having arrived for the special order of the day, the House took up the report of Mr. Edmonston, from the majority of the select committee to whom was referred the joint resolutions on the subject of the further extension of slavery.

The question being on concurring in the report,

Mr. Julian moved to recommit the joint resolution to a select committee, with instructions to report the following :

WHEREAS, It is the sentiment of the people of the State of Indiana, that slavery is a great moral and political evil : AND WHEREAS, the United States have recently acquired from Mexico a large extent of territory which is now free, and which, in the opinion of this Legislature, ought forever to remain free : AND WHEREAS, the Congress of the United States possesses the power, under the Constitution, to prevent the extension of slavery into said Territory, by legislative enactment : AND WHEREAS, it is believed to be right and expedient that such power should be exercised ; therefore,

*Resolved*, That our Senators in Congress be instructed, and our Representatives requested, to use their votes and influence to procure the passage of a law providing that there shall be neither slavery or involuntary servitude in any part of said territory, except for crimes whereof the party may have been duly convicted.

*Resolved*, That duly certified copies of the foregoing preamble

and resolutions be transmitted by the Governor to each of our Senators and Representatives in Congress, and to the Governors of the several States.

A message from the Senate, by Mr. Rousseau, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the resolution of the House to appoint a joint committee to examine the bonds surrendered to the Agent of State at New York, since his last annual communication, and to report the facts to this General Assembly ; and Messrs. Graham and Holloway are appointed said committee on the part of the Senate.

On motion by Mr. Kelso,  
The House adjourned.

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2 o'clock, P. M.

The House met.

Leave of absence was granted to Messrs. Meredith and Cockrum.

The report of the majority of the select committee, to whom was referred the joint resolutions on the subject of the further extension of slavery, being under consideration when the House adjourned,

The question being on the motion of Mr. Julian to recommit to a select committee with instructions,

Mr. Kelso moved for a division of the question.

The question being first on recommitting,

Mr. Blakemore moved to suspend the order of business for the purpose of taking up a message from the Senate ;

Which motion did not prevail.

On motion by Mr. Riley,

The House adjourned.

TUESDAY MORNING, DEC. 19th, 1848.

The House met.

Mr. Casselberry, Chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled, with the engrossed bills, and find them truly enrolled, to-wit :

No. 81. An act amendatory of an act entitled "an act to incorporate the Hagerstown Canal company;" approved February 15, 1841;

No. 25. A joint resolution in relation to the postage on newspapers and other documents;

No. 24. An act to change the name of Isaac Plum Pricket; Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill of the House, without amendment :

No. 9. An act to incorporate the Ladies' Sigourney Library, at Logansport.

PETITIONS, &c., PRESENTED.

By Mr. Johnston, of Putnam,

The petition of citizens of Putnam county, praying that the county of Putnam may be exempt from any and all of the provisions of the contemplated free school law.

On motion by Mr. Johnston, of Putnam,

The petition of was referred to the committee on education.

By Mr. Winstandley,

The petition of citizens of Franklin township, Floyd county, praying for the removal of Ira W. Gum, Esq., a justice of the peace.

On motion by Mr. Winstandley,

The petition was referred to the committee on the judiciary.

By Mr. Gessie,

The petition of Jacob Rudy and others, for a change of State road in Vermillion county;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Gessie, Shaw, and Orr.

By Mr. Allen,

The petition of A. W. Hull, and others, for an amendment of the charter of the borough of Vincennes;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Allen, Maddox, and Line.

On motion by Mr. Wilson,

The order of business was suspended.

Mr. Wilson introduced

No. 96. A joint resolution in relation to the time fixed for the payment of the semi-annual interest due to the bondholders of this State;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

On motion by Mr. Dobson,

The order of business was suspended for the purpose of taking a message from the Senate:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof, to-wit:

[The bills included in this message were Nos. 25, 56, 57, 64, 71, 77.]

In which the concurrence of the House is respectfully requested.

The House then took up the following bill in the above message:

No. 71. A bill to authorize the Governor, Auditor, and Treasurer of State to borrow a sum of money, not to exceed ninety-five thousand dollars, to pay the interest due on the funded debt, on the 1st of January, 1849;

Was read a first time and passed to a second reading.

Mr. Dunn moved to suspend the rules and read the bill a second time;

The ayes and nays being demanded by Messrs. Kelso and Dougherty, of Boone,

*Those who voted in the affirmative are,*

Messrs. Alexander, Blakemore, Brady, Buskirk, Caldwell, Casselberry, Chambers, Commons, Cravens, Decker, Dobson, Dowling, Doyle, Drake, Dunn, Duvall, Edmonston, Edwards, Frazer, Gessie, Gillum, Goodwin, Graham, Hankins, Hendricks, Hicks, Huckleberry, Hughes, Hunt, Jackman, James, Johnston of Putnam, Jones of Bart' mew, Jones of Huntington, Julian, Kelley, Maddox, Meacham, Miller, Mills, Morgan, Nicholson, Orr, Osborn, Parker of Allen, Place, Rice, Rifner, Rousseau, Smith, Stanton, Starbuck, Thompson, Tuttle, Vawter, Wade, Webster, Wilson, Winstandley, Withers, Wolfe, and Mr. Speaker—62.

*Those who voted in the negative are.*

Messrs. Alden, Allen, Bryant, Bundy, Campbell, Cotton, Cox, Dawson, Donnoghue, Dougherty of Boone, Dougherty of Morgan, Harlan, Hill, Howell, Huddleston, Kelso, Line, Lozier, Odell, Parker of Brown, Pierce, Riley, Rippey, Ross of Wabash, Ryan, Shaw, Snook, Spencer, Vance, Wood, and Young—31.

So the rules were suspended.

The bill was then read a second time.

Mr. Kelso moved to refer the bill to the Committee on Ways and Means.

The ayes and noes being demanded by Messrs Allen and Kelso,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Bryant, Bundy, Campbell, Cotton, Dawson, Donnoghue, Dougherty of Boone, Dougherty of Morgan, Frazer, Graham, Harlan, Hill, Howell, Jones of Huntington, Kelso, Lozier, Maddox, Odell, Parker of Brown, Place, Riley, Ross of Wabash, Ryan, Shaw, Spencer, Wood, and Young—29.

*Those who voted in the negative are,*

Messrs. Alexander, Blakemore, Brady, Buskirk, Caldwell, Chambers, Commons, Cox, Cravens, Decker, Dobson, Dowling, Doyle, Drake, Dunn, Duvall, Edmonston Edwards, Ford, Gessie, Gillum, Goodwin, Hankins, Hendricks, Hicks, Huddleston, Hunt, Jackman, James, Johnston of Putnam, Jones of Bartholomew, Julian, Kelley, Line, Meacham, Miller, Mills, Morgan, Nicholson, Orr, Osborn, Parker, of Allen, Pierce, Rice, Rifner, Rippey, Rousseau, Smith, Snook, Stanton Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Wilson Winstandley, Withers Wolfe, and Mr. Speaker—62.

So the motion to refer the bill to the Committee on Ways and Means was decided in the negative.

Mr. Kelso moved to lay the bill on the table.

The ayes and noes being demanded by Messrs. Kelso and Riley,

*Those who voted in the affirmative are,*

Messrs. Alden, Campbell, Dawson, Dougherty of Boone, Dougherty of Morgan, Harlan, Hill, Howell, Jones of Huntington, Kelso, Lozier, Odell, Parker of Brown, Riley, Ross of Wabash, Ryan, Shaw, Spencer, Wood and Young—20.

*Those who voted in the negative are*

Messrs. Alexander, Allen, Blakemore, Brady, Bryant, Bundy, Buskirk, Caldwell, Casselberry, Chambers, Commons, Cotton, Cox, Cravens, Dobson, Donnohue, Dowling, Drake, Dunn, Duvall, Edmonston, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Graham, Hankins, Hendricks, Hicks, Huckleberry, Huddleston, Hughes, Hunt, Jackman, James, Johnston of Putnam, Jones of Bartholomew, Julian, Kelley, Line, Maddox, Meacham, Miller, Mills, Morgan, Nicholson, Orr, Osborn, Parker of Allen, Place, Rice, Risner, Rippey, Rousseau, Smith, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Withstandley, Withers, Wolfe and Mr. Speaker—70.

So the bill was not laid on the table.

Mr. Bundy moved a call of the House,

Which motion did not prevail.

Mr. Edmonston moved to suspend the rules, and read the bill the third time.

Mr. Edmonston moved the previous question.

The question being on seconding the previous question,

The ayes and noes being demanded by Messrs. Kelso and Riley,

*Those who voted in the affirmative are,*

Messrs. Alexander, Blakemore, Brady, Buskirk, Caldwell, Casselberry, Chambers, Commons, Cravens, Dobson, Dowling, Dunn, Duvall, Edmonston, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Hankins, Hendricks, Hicks, Huckleberry, Huddleston, Hughes, Hunt, Jackman, James, Johnston of Putnam, Jones of Bartholomew, Julian, Kelley, Line, Meacham, Miller, Mills, Morgan, Nicholson, Orr, Osborn, Parker of Allen, Place, Rice, Risner, Rippey, Rousseau, Smith, Snook, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Withstandley, Withers, Wolfe and Mr. Speaker—62.

*Those who voted in the negative are,*

Messrs. Alden, Allen, Bryant, Bundy, Campbell, Cotton, Cox,

Dawson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Drake, Harlan, Hill, Howell, Jones of Huntington, Kelso, Lozier, Odell, Parker of Brown, Pierce, Riley, Ross of Wabash, Ross of Miami, Ryan, Shaw, Spencer, Wood and Young—28.

So the previous question was seconded by the House.

The question then being shall the main question, which was on suspending the rules, and reading the bill a third time now, be put?

The ayes and noes being demanded by Messrs. Kelso and Riley,

*Those who voted in the affirmative are,*

Messrs. Alexander, Blakemore, Brady, Buskirk, Caldwell, Casselberry, Chambers, Commons, Cravens, Dobson, Dowling, Doyle, Drake, Dunn, Duvall, Edmonston, Edwards, Ford, Gessie, Gillum, Goodwin, Hankins, Hendricks, Hicks, Huckleberry, Huddleston, Hughes, Hunt, Jackman, James, Johnston of Putnam, Jones of Bartholomew, Julian, Kelley, Line, Maddox, Meacham, Miller, Mills, Morgan, Nicholson, Orr, Osborn, Parker of Allen, Place, Rice, Riffer, Rippey, Rousseau, Smith, Snook, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Webster, Wilson, Winstandley, Withers, Wolfe, and Mr. Speaker—63.

*Those who voted in the negative are,*

Messrs. Alden, Allen, Bryant, Campbell, Cotton, Cox, Dawson, Decker, Donnohue, Dougherty of Boone, Dougherty of Morgan, Frazer, Graham, Harlan, Hill, Howell, Jones of Huntington, Kelso, Lozier, Odell, Parker of Brown, Pierce, Riley, Ross of Wabash, Ryan, Shaw, Spencer, Wood and Young—29.

So the main question was ordered to be put.

Mr. Harlan moved to recommit the bill to the committee on ways and means, with instructions to inquire into the "expediency and necessity of the passage of the bill."

The ayes and noes being demanded by Messrs. Kelso and Riley,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Bryant, Bundy, Campbell, Cotton, Cox, Dawson, Decker, Donnohue, Dougherty of Boone, Dougherty of Morgan, Frazer, Gillum, Graham, Harlan, Hill, Howell, Jones of Huntington, Kelley, Kelso, Lozier, Odell, Parker of Brown, Pierce, Riley, Ross of Wabash, Ryan, Shaw, Snook, Spencer, Wood and Young—33.

*Those who voted in the negative are,*

Messrs. Alexander, Blakemore, Brady, Buskirk, Caldwell, Casselberry, Chambers, Commons, Cravens, Dobson, Dowling, Doyle,

Drake, Dunn, Duvall, Edmonston, Edwards, Ford, Gessie, Goodwin, Hankins, Hendricks, Hicks, Huckleberry, Huddleston, Hughes, Hunt, Jackman, James, Johnston of Putnam, Jones of Bartholomew, Julian, Line, Maddox, Meacham, Miller, Mills, Morgan, Nicholson, Orr, Osborn, Parker of Allen, Place, Rice, Rifner, Rippey, Rousseau, Smith, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Winstandley, Withers, Wolfe and Mr. Speaker—60.

So the motion to recommit with instructions did not prevail.

The question then recurring on the passage of the bill.

The ayes and noes were demanded by Messrs. Riley and Kelso,

*Those who voted in the affirmative are.*

Messrs. Alden, Alexander, Allen, Blakemore, Brady, Ruskirk, Caldwell, Casselberry, Chambers, Commons, Cotton, Cravens, Dobson, Donnohue, Dowling, Doyle, Drake, Dunn, Duvall, Edmonston, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Hankins, Hicks, Huckleberry, Hughes, Hunt, Jackman, James, Johnston, of Putnam, Jones, of Bartholomew, Julian, Line, Maddox, Meacham, Miller, Mills, Morgan, Nicholson, Orr, Osborn, Parker, of Allen, Place, Rice, Rifner, Rippey, Rousseau, Smith, Snook, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Winstandley, Withers, Wolfe, and Mr. Speaker—66.

*Those who voted in the negative are,*

Messrs. Bryant, Bundy, Campbell, Cox, Dawson, Decker, Dougherty, of Boone, Dougherty, of Morgan, Graham, Harlan, Hill, Howell, Huddleston, Jones, of Huntington, Kelley, Kelso, Lozier, Odell, Parker, of Brown, Pierce, Riley, Ross, of Wabash, Ryan, Shaw, Spencer, Wood, and Young—27.

So the question on the passage of the bill was decided in the affirmative.

*Ordered,* That the Clerk inform the Senate thereof.

On motion by Mr. Huddleston,  
The House adjourned.

2 o'clock, P. M.

The House met.

On motion by Mr. Blakemore,  
The order of business was suspended for the purpose of taking up the following message from the Senate :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill thereof entitled,

No. 80. An act to amend an act entitled an act to revive an act to incorporate the city of Logansport, approved 13th January, 1845;

In which the concurrence of the House is respectfully requested.

Which bill was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred bill No. 5, entitled an act limiting the time for presenting complaints to grand juries, have had the same under consideration, and have directed me to report the same back to the House, and recommend its indefinite postponement ;

Which report was concurred in, and the bill indefinitely postponed.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred a bill, No. 11, to provide for taking the sense of the qualified voters of the State of Indiana on the calling a convention to alter, revise or amend the Constitution of the State, have had that subject under consideration, and have directed me to report the same back to the House, and recommend its passage :

On motion by Mr. Kelso,

The bill was referred to the committee of one from each Judicial Circuit appointed under a resolution of the House upon the same subject.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred a resolution of the House directing an inquiry into the expediency of transferring the duties of School Commissioner in the several counties in this State to the County Treasurers thereof, have had that matter under consideration, and have directed me to report said resolution back to the House, and recommend that it be referred to the standing committee on education, and ask to be discharged from the further consideration of the subject ;

Which was concurred in, and the resolution so referred.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred a resolution of this House, directing an inquiry into the expediency of changing the present Probate system for that of the Surrogate system, or some other, &c., have had the subject under consideration, and have directed me to report that in the opinion of your committee the Surrogate system is no better, if as good, as the present system ; that it would therefore be inexpedient to make such change. Your committee would further state that they have taken some action upon other resolutions before them in regard to a change of the Probate system, which will be reported to this House in due time. They therefore respectfully ask to be discharged from the further consideration of this resolution ;

Which report was concurred in.

Mr. Dunn, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, who were requested by a resolution of this House to enquire whether section 336, chapter 40, of the Revised Code of 1843, applies to judgments rendered before Justices of the Peace, have had the subject of said resolution under consideration, and being of the opinion that the provisions of said section are not so explicit as they should be, have directed me to report to the House the following bill and recommend its passage ;

No. 97. A bill to amend section 336, of chapter 40, of the Revised Code of 1843;

Which was read a first time, and passed to a second reading.

Mr. Julian, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee to which was referred a resolution of the House directing them to inquire into the expediency of repealing the present law in reference to the election of County Prosecuting Attorneys, have had the same under consideration, and direct me to report that in their opinion it would be inexpedient to repeal such law, and the committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Julian from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee to which was referred, bill of the House No. 47, entitled, an act to amend article 11, chapter 30, of the Revised Statutes of 1843, have had the same under consideration, and have directed me to report the same back to the House, with the following amendment, and as amended, recommend its passage, and the committee ask to be discharged:

Amend by striking out all after the enacting clause, and inserting the following:

That hereafter it shall be the duty of all executors and Administrators named in said article, to pay all moneys in said article specified, unto the county Treasury of any county in this State, in which the estate of which Executor or Administrator may have the control, and may be settled for the use of Common Schools in such county, to be there credited by the Treasurer of such county, to the unknown heirs of said estate.

Sec. 2d. It shall be the duty of the proper officers in any such county, having charge of other school funds to loan money out, as other school funds are, or may be directed by law to be loaned out, and to apply the interest of the same accordingly.

Sec. 3d. This act to be in force from and after its passage.

Which amendment was adopted.

The bill as amended was then ordered to be engrossed.

Leave of absence was granted to Messrs. Hunt, Hankins, Hendricks, Graham, Duvall, and Smith, for the remainder of the day.

Mr. Maddox from the committee on the judiciary, made the following report:

**MR. SPEAKER :**

The committee on the judiciary to whom was referred, the resolution of the House, inquiring into the expediency of amending the present mode of assessing the revenue &c., have had the same under consideration, and have instructed me to report it back to the House, and respectfully recommend that it be referred to the committee on ways and means, and the committee ask to be discharged &c.

Which report was concurred in, and the resolution was so referred.

Mr. Maddox from the committee on the judiciary, made the following report:

**MR. SPEAKER :**

The committee on the judiciary to whom was referred, the resolution of the House, inquiring into the expediency of amending section 88, chapter 13, of the Revised Statutes of 1843, have had the same under consideration, and have instructed me to report it back to the House, and respectfully recommend that it be referred to the committee on education, and the committee ask to be discharged &c.

Which report was concurred in, and the resolution was so referred.

Mr. Dawson from the committee on the judiciary, made the following report:

**MR. SPEAKER :**

The committee on the judiciary to whom was referred, bill of the House No. 33, entitled, a bill defining the duties of Administrator *de bonis non*, in certain cases, have had the same under consideration, and have directed me to report the same back to the House, without amendment and respectfully recommend its passage.

Which bill was ordered to be engrossed,

Mr. Wolfe, chairman of the committee on roads, made the following report:

**MR. SPEAKER :**

The committee on roads to whom was referred, House Bill No. 38, a bill to vacate a part of a certain road in the county of Dearborn, have had the same under consideration, and directed me to

report the same back to the House, and recommend its passage, and ask to be discharged, &c.

Which bill was ordered to be engrossed.

Mr. Rifner from the committee on roads, make the following report :

MR. SPEAKER :

The committee to whom was referred, a resolution, for the equalization of taxes for road purposes fairly among residents and non-residents, have had the same under consideration, and directed me to report the same as inexpedient to legislate upon, and ask to be excused from the further consideration of the subject.

On motion by Mr. Kelso,

The resolution was recommitted to the same committee.

Mr. Edmonston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred, bill of the House No. 7, entitled, an act to amend an act, entitled, the College Corner and Liberty Turnpike Company, have had the same under consideration, and directed me to report the same back to the House, without amendment, and recommend its passage.

Which bill was ordered to be engrossed.

Mr. Edmonston from a select committee of one from each Congressional district, made the following report :

MR. SPEAKER :

The select committee to whom was referred, so much of the Governor's message as relates to the institution of slavery, have directed me to report, that the committee have examined the subject and reported a joint resolution on that subject, which awaits the action of the House.

Your committee therefore ask that the accompanying resolution be laid on the table, and the committee be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Hendricks, chairman of the committee on the State Bank, made the following report :

**MR. SPEAKER :**

The committee on the State Bank to which was referred bill of this House, No. 88, entitled "An act to facilitate the discharges of mortgages given to the State of Indiana for the payment of Bank stock," have had the same under consideration, and instructed me to report the same to the House with the following amendments, upon the adoption of which they respectfully recommend its passage.

After the word "person," in the fifth line of the first section, strike out the words "as well as mortgagor," and insert the words "or persons holding the stock of the mortgagor by assignment and transfer;" and after the word "paying," in the ninth line of said section insert the words "he or they holding the stock of the mortgagor as aforesaid."

Which amendments were concurred in.

The bill was then ordered to be engrossed.

Mr. Ford, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee to whom was referred House bill, No. 91, "An act for the relief of Cain Darkry," have had the same under consideration, and have directed me to report the same back, without amendment, and respectfully recommend its passage.

Which bill was ordered to be engrossed.

Mr. Morgan, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee to which was referred the petitioner of Zabina Wariner, praying the Legislature to pass a law authorizing him to file his bill for divorce in the Decatur circuit court, have had the subject under consideration, and have directed me to report the following bill and recommend its passage :

No. 98. A bill to authorize Zabina Wariner, of Decatur county, to file a bill in chancery ;

Which was read a first time and passed to a second reading.

A message from the Senate, by Mr. Test, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following preamble and resolutions, to-wit :

Whereas, the Hon. Samuel Goodenow, Senator from Jefferson

county, departed this life on the 16th day of September last, 1848 : Therefore,

*Be it resolved*, That the Senate of the State of Indiana feel deeply the affliction of Divine Providence in the removal of one of their number by death, and while they submit with reverence, they will cherish the memory of the sterling virtues of their departed friend.

*Resolved*, That the members of this General Assembly deeply condole with the widow and relatives of the deceased in their irreparable loss, and direct the Secretary of the Senate to forward to the widow of the deceased a copy of these resolutions.

*Resolved*, That the members of this General Assembly wear the usual badge of mourning during the present session.

*Resolved*, That the House of Representatives be requested to concur herein, and, as an additional mark of respect, the Senate will adjourn until to-morrow morning nine o'clock.

Mr. Dunn addressed the House as follows :

MR. SPEAKER :

The resolutions reported from the Senate are an appropriate tribute of respect to the memory of a good man. Mr. Goodenow represented the people of Jefferson county two years in this branch of the Legislature, and four years in the Senate. He possessed the confidence of his constituents in a degree enjoyed by few Representatives. That confidence was never betrayed. Called from the peaceful pursuits of agriculture to participate in the legislation of the State, during a period in our history of unparalleled difficulties, he proved himself to be possessed of a strong mind, firm principles, and a patriotic heart. He was kind and courteous in all his associations, and ever ready to assist in any effort to promote the common good. In his death his constituents have been deprived of an able representative, the State of a wise counsellor, his wife of a beloved husband, his children of an affectionate father, and the community of a useful citizen. Suddenly called to the solemn realities of another world, he has left us the comforting assurance that he has gone to enjoy the blessings of "the just man made perfect." This House will, I know, cordially concur in the resolutions of the Senate.

Mr. Dowling offered the following resolutions, which were unanimously adopted :

*Resolved*, That this House concur in the resolutions of the Senate expressive of the regret of that body on the occasion of the death of Samuel Goodenow, Esq., Senator from the county of Jefferson, and that the Speaker of this House be requested to unite with the President of the Senate in conveying to the family of the deceased

the condolence of this branch of the General Assembly in their afflictive bereavement.

*Resolved*, As a mark of respect to the memory of the deceased, that this House do now adjourn.

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WEDNESDAY MORNING, DEC. 20, 1848.

The House met.

Mr. Brady presented a remonstrance of Jer. Johnson and others, citizens of Marion county, against the passage of a certain bill amendatory to the charter of the Indianapolis and Peru Railroad Company.

On motion by Mr. Brady,

The petition was laid on the table.

On motion by Mr. Riley,

The special order was taken up,

Which was the report of the select committee recommending the passage of the joint resolution;

No. 18. A joint resolution on the subject of slavery.

Mr. Julian having moved to recommit the resolution to a select committee with instructions,

The question pending was on the motion of Mr. Kelso for a division of the question, the question first being on the reference;

On motion by Mr. Frazer,

The House adjourned.

*Two o'clock, P. M.*

The House met.

The Speaker laid before the House the following communication :

INDIANAPOLIS, Dec. 19, 1848.

HON. GEORGE W. CARR,

*Speaker of the House of Representatives :*

SIR :—I have the honor to transmit herewith the Report of the Board of Trustees of the Wabash and Erie Canal, to be laid before the House.

Respectfully your obedient servant,

CHARLES BUTLER,

*President of the Board.*

Mr. Line moved to lay the Report of the Board of Trustees on the table, and print 500 copies.

Mr. Kelso moved to print 5,000 copies.

Mr. Rice moved to print 2,000 copies.

The question being put on printing 5,000 copies,  
Was decided in the negative.

The question then being on printing 2,000 copies,  
Was decided in the affirmative ;

And it was so ordered by the House.

Leave of absence was granted to Messrs. Cox and Johnson of Dearborn.

When the House adjourned, the report of the select committee, which recommended the passage of the following joint resolution, was under consideration :

No. 18. A joint resolution on the subject of slavery ;

Mr. Julian having moved to recommit the bill to a select committee, with instructions,

The question pending was on the motion of Mr. Kelso, for a division of the question—the question being first on the reference.

Mr. Edmonston moved a call of the House ;

Which motion prevailed.

On motion by Mr. Line,  
a further call of the House was dispensed with.

The question being on committing the joint resolution to a select committee, the ayes and noes being demanded by Messrs. Edmonston and Shaw,

*Those who voted in the affirmative are,*

Messrs. Allen, Blakemore, Bryant, Bundy, Commons, Cotton, Don-nohue, Dougherty of Morgan, Dowling, Dunn, Duvall, Edwards, Frazer, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Hud-dleston, Hunt, Jackman, Johnson, of Putnam, Julian, Kelley, Meach-am, Miller, Morgan, Orr, Parker, of Allen, Rifner, Rousseau, Stan-ton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, and Wilson —40.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Barbour, Brady, Buskirk, Caldwell, Campbell, Casselberry, Chambers, Cravens, Dawson, Decker, Dob-son, Dougherty, of Boone, Doyle, Drake, Edmonston, Ford, Golds-berry, Hendricks, Hicks, Hill, Howell, Huckleberry, Hughes, James, Jones, of Bartholomew, Jones, of Huntington, Kelso, Line, Lozier, Maddox, Mills, Nicholson, Odell, Osborn, Parker, of Brown, Pierce, Place, Rice, Riley, Rippey, Ross, of Miami, Ross, of Wabash, Ryan, Shaw, Smith, Snook, Spencer, Thompson, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—56.

So the motion to recommit was decided in the negative.

Mr. Dowling moved to strike out the joint resolution from the enacting clause, and insert the following :

Whereas, by the late treaty with the Republic of Mexico, the Government of the United States, has obtained a large acquisition of territory, embracing New Mexico and California ; And whereas, by several enactments of the Republic aforesaid, slavery and involuntary servitude were forever abolished in the States and Provinces belonging thereto ; And whereas, policy, humanity, and the progress of the age, requires that our political and social institutions, should be based upon great and elevated principles of justice, both in reference to the white and black races ; And whereas, this General Assembly is firmly convinced that a friendly interchange of opinion, on all contested points, among this sisterhood of States, will be mutually beneficial in settling all questions affecting their mutual interest ; And whereas, it is our solemn conviction, that the Congress of the United States, as the guardian of our infant Territories, possess the *right* to interdict domestic slavery in the same ; And whereas, this General Assembly entertains the opinion that the peace, stability, and welfare of the whole Union would be promoted by the exercise of that right, thereby giving earnest of the advance of liberal sentiments, and accelerating the progress of Republican Institutions throughout the world ; Therefore,

*Be it resolved by the General Assembly of the State of Indiana, That our Senators in Congress be instructed, and our Representatives requested to use their influence in favor of, and cast their votes for*

a law or joint resolution which shall prohibit the existence or establishment of slavery or involuntary servitude in the Territories of California and New Mexico, otherwise than in the punishment of crimes whereof the party shall have been duly convicted.

*Resolved further*, That the acquisition of Louisiana, Florida, and Texas, where domestic slavery existed, and their incorporation into the family of American States, gave high guarantees of the compromising spirit of the States denominated *free*, and exhibited to the world those lofty motives of patriotism which, on all proper occasions, has signalized the acquisition of new territory to the American Union.

*Resolved further*, That this General Assembly, in the spirit of fraternal regard, would invoke for these opinions the consideration of all connected, in any way, with the institution of slavery, under the firm conviction that, as this territory came to us *free*, it should be allowed to remain so, thereby adding new evidences of patriotic compromise, which, on so many honorable occasions, has distinguished the history of our beloved country.

*Resolved further*, That the Governor of Indiana be requested to transmit, without delay, a copy of the preamble and resolutions to each of our Senators and Representatives in Congress.

The question being on the amendment, the ayes and noes being demanded by Messrs. Parker, of Allen, and Edmondston.

*Those who voted in the affirmative are :*

Messrs. Allen, Blakemore, Brady, Bryant, Bundy, Casselberry, Commons, Cotton, Donnohue, Dougherty of Morgan, Dowling, Drake, Dunn, Edwards, Frazer, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Hicks, Huddleston, Hunt, Jackman, Johnson of Putnam, Julian, Kelly, Maddox, Meacham, Miller, Morgan, Odell, Orr, Parker of Allen, Rifner, Rousseau, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, and Wilson—45.

*Those who voted in the negative are :*

Messrs. Alden, Alexander, Barbour, Buskirk, Caldwell, Campbell, Chambers, Cravens, Dawson, Decker, Dobson, Dougherty of Boone, Doyle, Edmonston, Ford, Goldsberry, Hendricks, Hill, Howell, Huckelberry, Hughes, James, Jones of Bartholomew, Jones of Huntington, Kelso, Line, Lozier, Mills, Nicholson, Osborn, Parker of Brown, Pierce, Place, Rice, Riley, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Snook, Spencer, Thompson, Windstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—50.

So the amendment was not adopted.

Mr. Edmonston moved to suspend the rules, and read the joint resolution a third time,

Which motion prevailed.

The question then recurred on the passage of the joint resolution. The ayes and noes being demanded by Messrs. Dunn and Kelso:

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Blakemore, Brady, Bryant, Buskirk, Casselberry, Chambers, Cravens, Dawson, Decker, Dobson, Dougherty of Boone, Dowling, Doyle, Drake, Dunn, Duvall, Edmonston, Frazer, Ford, Gessie, Gillum, Goldsberry, Goodwin, Hankins, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Huddleston, Hughes, Jackman, James, Jones of Bartholomew, Jones of Huntington, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meacham, Miller, Mills, Nicholson, Odell, Osborn, Parker of Allen, Parker of Brown, Pierce, Place, Rice, Rifner, Riley, Rippey, Ross of Miami, Ross of Wabash, Rousseau, Ryan, Shaw, Smith, Snook, Spencer, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Webster, Wilson, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker —80.

*Those who voted in the negative are,*

Messrs. Allen, Barbour, Bundy, Caldwell, Campbell, Commons, Cotton, Donnohue, Dougherty of Morgan, Edwards, Graham, Hunt, Johnston of Putnam, Morgan, Orr, and Wade—16.

So the joint resolution passed.

On motion by Mr. Riley,

The title was amended so as to read as follows :

“Joint resolutions on the subject of slavery.”

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Dobson,

The resolution reported by the select committee to whom was referred the petition of James Galletly, was made the special order of the day for to-morrow at 2 o'clock, P. M.

Mr. Edmonston moved to take up the veto message of the Governor.

Which motion did not prevail.

Mr. Stanton moved to suspend the order of business for the purpose of taking up a message from the Senate.

Which motion did not prevail.

Mr. Blakemore, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred bill, No. 29, entitled

"An act to extend the duties of county surveyors," with sundry instructions, have had the same under consideration, and have directed me to report the same back to this House, amended as directed by this House, and recommend its passage.

Strike out all after the words "road reviewers," and insert the following:

"And administer the oath required by law to commissioners to make partition, and commissioners to assign dower.

"Sec. 2. County surveyors shall hereafter be authorized to take acknowledgment of deeds and mortgages in their respective counties.

"Sec. 3. When any county surveyor shall file in the clerk's office of his county an oath to faithfully discharge his duty as road reviewer, commissioner to make partition, and commissioner to assign dower in said county, it shall not be necessary for him to be sworn in each particular case, wherein he may be appointed such commissioner; for which services the said county surveyor shall be entitled to the customary fees now allowed to officers for performing said services."

Which amendment was concurred in.

The bill was then ordered to be engrossed.

Mr. Howell, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of Robert Stewart Etal, praying for a reduction of fees and salaries in the county of Blackford, have had the same under consideration and have directed me to report the following bill and recommend its passage:

No. 99. A bill reducing the fees and salaries of county officers of Blackford county;

Which was read a first time, and passed to a second reading.

Mr. Spencer, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred Senate bill, No. 12, "An act to fix the time of holding courts in the first judicial circuit, and the probate court of Tippecanoe county, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage, and ask to be discharged, &c.

Which bill was ordered to be engrossed.

Mr. Buskirk, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of Nathan McPhetridge praying an act permitting him to redeem the east half of the south-east quarter of section No. twenty-seven of the reserved township of lands in Monroe county, have had the same under consideration, and have directed me to report the accompanying bill and recommend its passage.

No. 100. A bill for the relief of Matthew McPhetridge ;

Which was read a first time, and passed to a second reading.

Mr. Gessie, from a select committee, made the following report :

MR. SPEAKER :

The committee to which was referred the petition of Jacob Rude and others, praying for a change in a part of a State road in Vermillion county, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 101. A bill to change a part of a State road in Vermillion county ;

Which was read a first time, and passed to a second reading.

Mr. Hicks, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred a resolution of the House, requiring them to report a bill to this House regulating the times of holding courts in the fifth judicial circuit, and extending the time of holding the Johnson circuit court, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 102. A bill to regulate the time of holding courts in the fifth judicial circuit ;

Which was read a first time, and passed to a second reading.

Mr. Gillum, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred the petition of John C. Woodfill, praying for a divorce, have had the same under consideration, and have directed me to report the accompanying bill and recommennd its passage :

No. 103. A bill to amend article 2 of chapter 35 of the Revised Statutes of 1843 ;

Which was read a first time and passed to a second reading.  
Mr. Shaw, from a select committee, made the following report:

MR. SPEAKER :

The committee to whom was referred bill of the House No. 42, have had the same under consideration, and authorize me to report the same back, amended in pursuance of the instructions of the House, and recommend its passage.

On motion,

The bill and instructions were recommitted to the same committee.

Mr. Line moved to suspend the order of business for the purpose of presenting some petitions;

Which did not prevail.

#### RESOLUTIONS.

Mr. Hughes offered the following resolution :

*Resolved*, That the House will, the Senate concurring therein, adjourn *sine die* on the 15th day of January, 1849.

Mr. Kelso moved to lay the resolution on the table ;

Which motion prevailed.

On motion by Mr. Riley,

*Resolved*, That the committee on education be instructed to inquire whether the officers to whom are committed the care, disbursement, &c., of the school funds of this State, are subject to indictment for the embezzlement &c. of said funds; and that they report a bill to this House providing directly for the prosecution of such officers who may be guilty of embezzling such fund, by presentment or indictment.

On motion by Mr. Huckleberry,

*Resolved*, That the committee on benevolent and scientific institutions be directed to provide for filling the blank in the 34th section of the act entitled "An act for the government of the Indiana Hospital for the Insane," approved February 15th, 1848, with leave to report by bill or otherwise.

On motion by Mr. Goodwin,

*Resolved*, That the Auditor of State be required to transmit forthwith to the House the report of the Superintendent of the New Albany and Vincennes Turnpike Road, if he has received the same.

Mr. Edwards offered the following preamble and resolution.

Whereas, by the 114th section of the charter of the State Bank of Indiana, all the profits of the Sinking Fund over and above the

payment of the bank loans, interest and expenses are set apart for the benefit of common schools; and whereas, by the act of the General Assembly, approved February 6, 1841, it is provided that said profits shall be invested by the Sinking Fund Commissioners in bank stock, in the name and for the use of the State, which investment was declared to be a loan to the State from the Sinking Fund, bearing six per cent. interest, the principal and the accumulated interest to be repaid by the State, whenever the bank stock loan shall be paid off, and the bank wound up; therefore,

*Resolved*, That the committee on education are hereby directed to inquire into the propriety of providing, in any bill which may be reported to this House, providing for a general system of taxation, to establish and support common schools, that the amount so raised or a part thereof, shall go to the gradual extinguishment of the debt which will be due by the State to the common school fund, at the time when the bank charter shall expire and the bank be wound up.

Which were adopted.

Mr. Winstandley offered the following resolution :

*Resolved*, That the House will proceed to the consideration of the orders of each day, on each day at 2 o'clock, P. M., unless otherwise directed by the House.

Which, under the rule, lies over one day.

On motion by Mr. Dobson,

*Resolved*, That the committee on ways and means be instructed to inquire into the expediency of providing by law, for ascertaining the number of acres of land in cultivation in the State designed as ploughland from such as is in pasture.

Mr. Rippey introduced the following resolution :

*Resolved*, That the committee on roads be instructed to inquire into the propriety of repealing so much of the road law as gives the supervisors the privilege of assessing an additional road tax in their respective districts.

Which was not adopted.

On motion by Mr. Orr,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so amending the 36th section of chapter seven, Revised Statutes of 1843, as to make the fine imposed on county Commissioners a less sum than fifty dollars, and report by bill or otherwise.

On motion by Mr. Buskirk,

*Resolved*, That the committee on the judiciary to whom was referred, House bill No. 74, be instructed to inquire into the expediency of so amending the fourth section of said bill, as follows: that

if upon the survey provided for in said section, it shall be found that the selection made by said execution defendants contains a greater number of acres of land than he is entitled to under said law, then the execution defendants shall pay the costs of said survey, but if the said selection shall be confirmed, then the execution plaintiff shall pay the costs of said survey.

Mr. Wolf offered the following resolution :

*Resolved*, That the House will not entertain any motion to suspend the rules of this body, in the regular course of business, only in cases of great emergency, and that bills and joint resolutions shall receive attention only in the order in which they are introduced, to the end that business may be facilitated, and bring the session to a speedy close.

Which, under the rule, lies over one day.

Mr. Starbuck offered the following resolution :

*Resolved*, By the House of Representatives, the Senate concurring therein, that this General Assembly will adjourn *sine die* on the 8th day of January next.

On motion by Mr. Kelso,

The resolution was laid on the table.

On motion by Mr. Drake,

*Resolved*, That the committee on education be instructed to inquire into the expediency of reporting a bill establishing a general system of free schools without creating any salaried officers.

On motion by Mr. Harlan,

*Resolved*, That the committee on ways and means, be, and they are hereby authorized to employ a clerk to said committee whenever they shall deem it necessary so to do.

On motion by Mr. Huckleberry,

The reports of the Visiter and Warden of the State Prison, were taken up and referred to the committee on the affairs of the State Prison.

Mr. Dowling moved to suspend the order of business, for the purpose of taking up a message from the Senate,

Which motion did not prevail.

Mr. Brady offered the following resolution :

*Resolved*, That the committee on roads be directed to inquire into the expediency of reporting a joint resolution making it the duty of the Secretary of State to compile the road laws now in force, and cause a suitable number of copies printed for the use of supervisors of highways.

Which was not adopted.

On motion by Mr. Stanton,

*Resolved*, That the committee on education be required to provide in any bill which they may report to this House on the subject of common schools, that Negroes, Mulattoes and Indians, shall not be taxed for common school purposes.

On motion by Mr. Bundy,  
The House adjourned.

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THURSDAY MORNING, DEC. 21, 1848.

The House met.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment, to-wit:

No. 27. An act to annul an act, entitled "An act for the relief of certain persons therein named," approved Feb. 16, 1848.

The Speaker laid before the House the following communication from the Auditor of State, in reply to a resolution of the House :

AUDITOR'S OFFICE, Dec. 21, 1848.

HON. GEORGE W. CARR,

*Speaker of the House of Representatives :*

SIR :—In reply to the resolution of the House of Representatives, requiring me to transmit to the House the Report of the Superintendent of the New Albany and Vincennes Turnpike Road, I would respectfully state that but one copy of the report was sent to me, which, having been called for by a resolution of the Senate, was several days ago sent to that branch of the Legislature.

I am, very respectfully,

Your obedient servant,

D. MAGUIRE,  
*Auditor of State.*

## PETITIONS, &amp;C., PRESENTED.

By Mr. Ross of Wabash,

The petition of citizens, praying for a State road from Wabash  
*via* Minick's Mills and Bluffton, to the Ohio State line;

Which,

On motion,

Was referred to a select committee, consisting of,  
 Messrs. Ross of Wabash, Ross of Miami, and Rice.

By Mr. Webster,

The petition of citizens of Lagrange and Elkhart counties for the  
 location of a State road;

On motion by Mr. Webster,

The petition was referred to the committee on roads.

By Mr. Snook,

The remonstrance of citizens of Montgomery county against the  
 location of a road from Ladoga *via* North Salem to Danville;

On motion by Mr. Snook,

The remonstrance was referred to the committee on roads.

By Mr. Line,

The petition for a Turnpike road from Moscow, in Rush county,  
 to Blooming Grove, in Franklin county;

Which,

On motion,

Was referred to a select committee, consisting of,  
 Messrs. Line, Campbell, and Huddleston.

By Mr. Meacham,

The petition of Zophar Coleman and others, of Parke county, on  
 the subject of free schools;

Which,

On motion by Mr. Meacham,

Was referred to the committee on education.

By Mr. Thompson,

The petition of citizens of Washington county, praying for the  
 exemption of that county from taxation for the support of free  
 schools;

Which,

On motion by Mr. Thompson,

Was referred to the committee on education.

By Mr. Huckleberry,

The petition of Joseph Raymond and others, citizens of Clarke  
 county, in relation to the traffic of spirituous liquors;

Which,

On motion,

Was referred to the committee on scientific and benevolent institu-  
 tions.

By Mr. Thompson,

The petition of Elisha Driskell and others;

Which,

On motion by Mr. Thompson,  
Was referred to the judiciary committee.

By Mr. Rousseau,

The petition of citizens of Greene county, praying for the passage of a bill to prevent the poisoning of fish in said county;

Which,

On motion by Mr. Rousseau,  
Was referred to the committee on agriculture.

#### REPORTS FROM COMMITTEES.

Mr. Ford, chairman of the committee on elections, made the following report:

MR. SPEAKER:

The standing committee to whom was referred joint resolution of the House, No. 58, recommending a change in the present mode of electing the President and Vice President of the United States, have had the same under consideration, and a majority of them have directed me to report the same back to the House and recommend its passage:

Which bill was ordered to be engrossed.

Mr. Allen, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The committee on the judiciary, to which was referred House bill, No. 50, entitled "An act relative to the sureties of justices of the peace," have had the same under consideration, and recommend that it be struck out from the enacting clause, and insert the following, to which the concurrence of the House is respectfully requested.

"That no suit, either at law or equity, shall hereafter be brought in any of the courts of this State, against the surety or sureties of any State or county officer, within this State, on the official bond of such State or county officer, whereby to charge such surety or sureties for any misfeasance, malfeasance, or nonfeasance of such State or county officer in the discharge of the duties of his office, unless the same be commenced within six years next after the cause of action shall have accrued: *Provided, however,* That if any person entitled to bring an action against the surety or sureties of any State or county officer on the official bond of such State or county officer shall at the time the cause of action occurs be within the age of twenty-one years, a married woman, or insane, in prison, or absent from the United States, such person may bring such action at any time within one year from the time such disability shall be removed: *And provided further,* That in all cases where a cause of

action shall have occurred before the passage of this act, the surety or sureties of any State or county officer, by reason of the misfeasance, malfeasance, or nonfeasance of such State or county officer, the person or persons to whom such cause of action shall have occurred may commence his action at any time within six years from the passage of this act.

Sec. 2. This act to take effect and be in force from and after its passage.

Which amendment was concurred in.

The bill as amended then was ordered to be engrossed.

Mr. Dawson, from the committee on the judiciary, made the following report:

**MR. SPEAKER :**

The committee on the judiciary, to whom was referred the bill of the House, No. 70, entitled "A bill to repeal section 36 of chapter 31 of the Revised Code of 1843," have had said bill under consideration, and have directed me to report to the House that it is inexpedient to legislate upon the subject referred to in said bill, and that said committee recommend said bill be indefinitely postponed, and that the committee be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Dunn, from the committee on the judiciary, made the following report:

**MR. SPEAKER :**

The judiciary committee, to whom was referred the bill of the House, No. 80, entitled "A bill to repeal an act to provide for the election of a Prosecutor in the several counties of this State," have had said bill under consideration and have directed me to report to the House, that it is inexpedient to legislate on said subject.

Mr. Dunn moved to indefinitely postpone the bill.

Mr. Wolf moved to lay the bill on the table;

Which motion prevailed.

Mr. Dawson from the judiciary committee, made the following report :

**MR. SPEAKER :**

The judiciary committee, to whom was referred bill of the House, No. 34, entitled "An act to regulate the fees and salaries of certain officers in Delaware county," have had the same under considera-

tion, and directed me to report the same back to the House without amendment, and respectfully ask to be discharged from the further consideration of the subject.

On motion by Mr. Orr,

The bill was recommitted to a select committee consisting of, Messrs. Orr, Gessie, and Morgan.

Mr. Julian from the committee on the judiciary, made the following report:

**MR. SPEAKER :**

The judiciary committee, to whom was referred bill of the House, No. 71, entitled "An act abolishing docket fees and final records in certain cases, approved, January 28, 1843," have had the same under consideration and have directed me to report the same back to the House without amendment, and recommend its passage. And the committee ask to be discharged.

Which bill was ordered to be engrossed.

Mr. Julian from the committee on the judiciary, made the following report:

**MR. SPEAKER :**

The judiciary committee, to whom was referred bill of the House, No. 73, entitled "An act to amend chapter 30 of the Revised Statutes of 1843," have had the same under consideration and have directed me to report that in the opinion of said committee, it would be inexpedient to legislate on that subject. And the committee ask to be discharged.

On motion by Mr. Julian,

The bill was indefinitely postponed.

Mr. Kelso from the committee on the judiciary, made the following report:

**MR. SPEAKER :**

The judiciary committee, to whom was referred a bill, No. 8, entitled "An act to legalize a certain sale made by the Auditor of State," have had that subject under consideration and have directed me to report the same back to the House, without amendment, and recommend its passage.

Which bill was ordered to be engrossed.

Mr. Julian from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred bill of the House, No. 31, entitled "An act to amend the 40th chapter of the Revised Statutes of 1843," have had the same under consideration and have directed me to report that in the opinion of said committee, it would be inexpedient to legislate on that subject. And the committee ask to be discharged.

Which report the House refused to concur in.

On motion,

The bill was recommitted to a select committee, consisting of, Messrs. Wolfe, Rousseau, Place, Blakemore, and Jackman.

Mr. Bryant from the committee on education, made the following report :

MR. SPEAKER:

The committee on education, to whom was referred the petition of sundry females of the counties of Elkhart and St. Joseph, calling the attention of the General Assembly of the State, to the inequality of condition and diversity of duties in the two sexes, and praying especially for the establishment of an institution for the instruction of females in Physiology and Medical Science, including the practice of Midwifery, have had the same under consideration and have instructed me to report, that if females have, by our social and civil organization, been excluded from a participation in the more active, burdensome, and less attractive duties of life, it does not by any means, follow that their influence is by this exclusion, in any degree diminished. On the contrary, your committee believe that to this exclusion, and the superior refinement and delicacy which is the natural and necessary consequence of imposing all the austere and rugged duties upon the ruder sex, woman owes the enviable distinction and power in the social circle, which, although it appears to be not sufficiently appreciated by your petitioners, may, in the opinion of your committee, be productive of great and important results; and your committee believe that Providence has already wisely arranged the duties and pursuits of the two sexes, by the disparity which is manifested in their Physiological organization. The woman who could set all day in the jury box, distinguish herself in the Halls of Legislation, or lead a successful foray with a victorious host, would fall immeasurably below the being who now warms our imaginations and fills our hearts. In regard to the claims of the sex, to the exclusive practice of the art of Midwifery, your committee discover much good sense in the memorial which the ladies have addressed to the General Assembly. It is, perhaps, but a little over one hundred and fifty years, since the practice of employing male accoucheurs has obtained, and undoubtedly had its origin in the anxious desire of the husband to secure entire safety to his com-

panion, in a time of trial, and one eminently calculated to call forth his warmest sympathies. Your committee believe that the practice might advantageously be dispensed with, whenever females equally well qualified, can be found to take upon themselves such duties, and the disposition manifested by the petitioners, to acquire the necessary information, is in a high degree praiseworthy. Inasmuch, however, as your committee conceive that the State has at present, neither the pecuniary means nor the facilities necessary for the establishment of the Institution prayed for, they respectfully ask to be discharged from the further consideration of the subject, and that so much of the petition as relates to a change in the laws of guardianship and property, be referred to the committee on the judiciary.

Which report was concurred in.

Mr. Line from the committee on education, made the following report :

**MR. SPEAKER :**

The committee on education, to whom was referred House bill, No. 70, entitled "An act, explanatory of an act therein named," have had the same under consideration and directed me to report that they have examined said bill and the section of the law also, which it proposes to explain, and after so doing, they arrive at the conclusion that the law is sufficiently explicit. They therefore, report back the bill and recommend it to be indefinitely postponed, and ask to be discharged from a further consideration of the subject.

Which report was concurred in.

Mr. Dobson chairman of the committee on claims, made the following report :

**MR. SPEAKER :**

The committee on claims to whom was referred a resolution of inquiry into the expediency of continuing in force the laws of last session passed for the relief of regular and volunteer soldiers who served in the Mexican war, have had the same under consideration and have directed me to report the same back to the House, and ask its reference to the committee on ways and means ;

Which report was concurred and the matter so referred.

Mr. Dobson, chairman of the committee on claims, made the following report :

**MR. SPEAKER :**

The committee on claims to whom was referred House bill No.

41, for the relief of Robert Jones, have had the same under consideration and have directed me to report it back to the House and recommend its indefinite postponement ;

Which report was not concurred in.

On motion,

The bill and petition was referred to a select committee, consisting of,

Messrs. Webster, Kelso, and Rousseau.

Mr. Ross of Miami, from the committee on corporations, made the following report :

**MR. SPEAKER :**

The committee on corporations to whom was referred bill of the House No. 12, have had the same under consideration and authorize me to report the same back without amendment, and recommend its passage.

No. 12. An act to amend an act entitled, an act to incorporate the Madison and Brownstown Turnpike Company," which became a law February 11th, 1848 ;

Which was ordered to be engrossed.

Mr. Frazer, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee to whom was referred bill of the Senate No. 46, a bill fixing the time of holding the courts in the counties of Lake, Porter, and Laporte, have had the same under consideration, and have directed me to report the same back to the House with one amendment, and when so amended, to recommend its passage ;

Amend by striking out the first section from the enacting clause, and insert the following :

"That the Circuit Courts within and for the counties of Porter and Laporte shall be commenced and holden for the year 1849, as follows : In the county of Porter on the first Mondays of March and September. In the county of Laporte on the third Mondays of March and September. Said Court shall sit in each of said counties two weeks, if the business shall require such time.

Which amendment was concurred in.

The bill was then read a second and third times, the rules having been suspended therefor, and passed.

On motion by Mr. Frazer,

The title was amended by striking out the county of "Lake."

*Ordered*, That the clerk inform the Senate thereof.

Mr. Blakemore, from a select committee, made the following report:

MR. SPEAKER :

The select committee to which was referred the petition of the board of directors of the Michigan road company, praying amendments to the charter to said company, have had the same under consideration and have directed me to report the following bill to this House, and recommend its passage.

No. 104. A bill amendatory of an act entitled, "an act to incorporate the Michigan road company," approved January 13, 1845, and an act entitled, "an act to amend an act entitled an act to incorporate the Michigan road company, approved January 13th, 1845," approved January 19th, 1846;

Which was read a first time and passed to a second reading.

Mr. Hicks, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of Joseph Wayland and others for the relief of Magdaline Pfalzgraf, widow of Charles Pfalzgraf, an alien, have had the same under consideration and directed me to report the following bill, and recommend its passage.

No. 105. A bill for the relief of Magdaline Pfalzgraf;

Which was read a first time and passed to a second reading.

Mr. Shaw, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred House bill No. 42, have had the same under consideration and authorized me to report the following amendment, and respectfully recommend its passage.

Strike out from the enacting clause and insert as follows:

That the board of commissioners of the counties of Hamilton, Tipton, and Miami, be and each of said boards of commissioners are hereby authorized to borrow money in any amount not exceeding fifty thousand dollars, from time to time, at any rate of interest not exceeding ten per centum per annum.

Sec. 2. That all persons loaning money to said boards, or either of them, are hereby authorized to receive any rate of interest upon such loans as may be agreed upon, not exceeding ten per cent.

Sec. 3. All acts or parts of acts, so far as the same controvene the provisions of this act, are hereby repealed.

This act shall be in force from and after its passage.

Which amendment was concurred in.

The bill was then read a third time and passed.

On motion by Mr. Ross of Miami,

The title was amended by adding the counties of Miami and Tipton.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Line, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petitions praying for a charter for a turnpike road from Moscow, in Rush county, to Bloomington, in Franklin county, have had the same under consideration, and directed me to report the following bill, and recommend its passage, and ask to be discharged from a further consideration of the subject:

No. 106. A bill to incorporate the Moscow and Bloomington Turnpike Company in the counties of Franklin and Rush.

Read a first time and passed to a second reading.

#### RESOLUTIONS.

The following resolution, offered by Mr. Cotton on the 16th inst., came up for consideration :

*Resolved*, That the 8th standing rule of this House be so amended as to authorize the appointment of a Standing Committee on Manufactures and Commerce, in addition to the committees authorized by said rule;

Which was adopted.

The following resolution, offered by Mr. Wolfe on yesterday, came up for consideration :

*Resolved*, That this House will not entertain any motion to suspend the rules of this body in the regular course of business, only in cases of great emergency, and that bills and joint resolutions shall receive attention only in the order in which they are introduced—to the end that business may be facilitated, and bring the session to a speedy close.

On motion by Mr. Edmonston,

The resolution was laid on the table.

The following resolution offered by Mr. Winstandley on yesterday, came up for consideration.

*Resolved*, That the House will proceed to the consideration of the

orders of the day on each day at 2 o'clock P. M., unless otherwise directed by the House.

Which resolution was adopted.

On motion by Mr. Morgan,

*Resolved*, That the committee on internal improvements be requested to enquire into the propriety of selling or otherwise disposing of the Northern division of the central canal, so that it shall cease to be an additional charge on the State Treasury, with leave to report by bill or otherwise.

On motion by Mr. Dawson,

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of declaring, especially by law, the true intent and meaning of an act entitled "an act defining the duties of county treasurers in certain cases," approved Jan. 13, 1845, and that they report by bill or otherwise.

On motion by Mr. Ross, of Miami,

*Resolved*, That the Auditor of State be requested to report to the this House at as early as a day as possible,

1st. The whole amount of canal land scrip issued by authority of the State for the completion of the Wabash and Erie Canal east of the mouth of the Tippecanoe river, (commonly called "White Dog,") with the dates of the severel issues, and the amount of each.

2d. The amount redeemed and cancelled by the State prior to the transfer of said canal to the "Board of Trustees of the Wabash and Erie Cannl," giving the dates and amount of each date.

3d. The amount which has been redeemed by said trustees, and reported to said auditor, if any, with the dates and amount of each date.

On motion by Mr. Bundy,

*Resolved*, That the judiciary committee be instructed to enquire whether any property is, by existing laws, exempt from distress and sale, for State and county revenue, and if so, whether it is not expedient to repeal all laws exempting property from execution and sale for such purposes.

Mr. Starbuck offered the following preamble and resolution :

WHEREAS, The mover of this resolution, during the whole time the question of slavery extension was being discussed on this floor, made no attempt to inflect a speech upon this House ;

AND WHEREAS, The mover believes his constituency are as much entitled to the great benefit of his views at length on that question as the constituents of any gentleman present ; therefore,

*Resolved*, That the mover be, and he is hereby authorized to publish and circulate among his constituents at home, a speech on the

above subject ; and said speech shall be entitled to the same consideration, and wield the same influence, as if it had been inflicted upon empty benches and noisy corridors in this House.

Mr. Edwards moved to make the provisions of the preamble and resolution general ;

Which was adopted.

Mr. Kelso moved to refer the preamble and resolution to a select committee ;

Which motion did not prevail.

Mr. Drake moved to except from its provisions the county of Marion.

Which amendment was not adopted.

The question then recurring on the adoption of the resolution, was decided in the affirmative.

Mr. Line offered the following resolution :

*Resolved*, That the rules and regulations adopted at the last General Assembly, fixing the mileage of the members of this House, be and the same is hereby adopted by the members of the present General Assembly in this House, and no member shall receive a greater amount than allowed under the said rule.

On motion by Mr. Kelso,

The resolution was laid on the table.

Mr. Huckleberry offered the following resolution :

*Resolved*, That the committee on the affairs of the State Prison be directed to inquire into the expediency of repealing Sec. 42, article 6, of the 4th chapter of the Revised Statutes of 1843, with leave to report by bill or otherwise.

Which was not adopted.

#### BILLS INTRODUCED.

Mr. Blakemore introduced

No. 107. Joint resolutions relative to the reduction of the price of the public land in the Great Miami National Reserve.

Mr. Dougherty of Boone introduced

No. 108. A bill relative to the board of commissioners of the county of Boone.

Mr. Rousseau introduced

No. 109. A bill to extend the jurisdiction of justices of the peace in the county of Greene, in certain criminal cases.

Mr. Gessie introduced

No. 110. A bill incorporating the Perrysville and Danville, and Perrysville and Georgetown Plank Road company.

Mr. Wolfe introduced

No. 111. A bill to repeal the latter part of the 6th section of an act in relation to the Northern Division of the Central Canal, approved January 13, 1846.

Mr. Rippey introduced

No. 112. A bill to amend an act entitled "an act to regulate the mode of doing township business in the county of Elkhart," approved January 13, 1845.

Mr. Ford introduced

No. 113. A bill in relation to the real and personal estate of John Fischli, late of Jackson county, deceased.

Mr. Brady introduced

No. 114. A bill to compensate the Adjutant General for organizing the 4th and 5th Regiments of Indiana Volunteers, in 1847.

Mr. Buskirk introduced

No. 115. A bill requiring commissioners appointed to sell real estate, to give bond and take an oath.

Mr. Chambers introduced

No. 116. A bill to change the mode of doing county business in the county of Warrick, from justices of the peace to commissioners.

Mr. Rousseau introduced

No. 117. A bill to reduce the number of grand jurors in the county of Greene, and for other purposes.

Mr. Winstandley introduced

No. 118. A bill in relation to the duties of Auditor and Agent of State.

Mr. Goodwin introduced

No. 119. A bill to legalize the election of a Prosecuting Attorney in the county of Davies.

Mr. Julian introduced

No. 120. A bill regulating the salaries of certain officers therein named.

Mr. Jones of Bartholomew introduced

No. 121. A bill authorizing the probate court in Bartholomew county to sit two weeks at its February term.

Mr. Alexander introduced

No. 122. A bill extending the time of working roads and highways in the county of Clay.

Mr. Buskirk introduced

No. 123. A bill to change the name of the town of Fleenersburg in the county of Monroe, and for other purposes.

Mr. Maddox introduced

No. 124. A bill to incorporate the Covington Drawbridge company.

Mr. Wood introduced

No. 125. A bill amending sections 40 and 42, chapter 28, Revised Statutes of 1843.

Mr. Ford introduced

No. 126. A bill relative to the collection of taxes in Jackson county.

Mr. Buskirk introduced

No. 127. A bill to repeal an act entitled an act providing for the

opening and repairing public roads and highways in the county of Monroe, approved February 3, 1841, and for other purposes.

Mr. Drake introduced

No. 128. A bill creating the Marion court of common pleas.

Mr. Jackman introduced

No. 129. A bill to amend an act entitled "an act to amend article 5 of chapter 45 of the Revised code of 1843," approved February 16, 1848.

Mr. Hendricks introduced

No. 130. A bill to extend the provisions of an act therein named.

Mr. Julian introduced

No. 131. A bill to amend the practice in chancery.

Mr. Buskirk introduced

No. 132. A bill regulating the fees of justices of the peace, mayors, and constables, and for other purposes.

Mr. Spencer introduced,

No. 133. A bill to repeal an act entitled "An act to extend the jurisdiction of justices of the peace in the counties of Lake and Porter," approved February 14th, 1848.

Mr. Osborn introduced,

No. 134. A bill to repeal the latter part of the 16th section of the 10th chapter of the Revised Statutes of 1843, in reference to non-residents.

Mr. Julian introduced,

No. 135. A bill to regulate the practice in the supreme court.

Mr. Maddox introduced,

No. 136. A bill for the relief of H. K. Wright and Jacob Barcus.

Mr. Buskirk introduced,

No. 137. A bill for the relief of the sureties of executors, administrators, guardians and commissioners, appointed by the circuit or probate courts, to sell real estate.

Mr. Odell introduced,

No. 138. A bill to amend the 69th section of the 7th article of the 5th chapter of the Revised Statutes of 1843;

Mr. Pierce introduced,

No. 139. A bill to provide for the election of township assessors in Elkhart county.

Mr. Wolfe introduced,

No. 140. A bill to amend the 1st article of the 40th section of the Revised Statutes of 1843, in reference to suits at law;

Which were each severally read a first time and passed to a second reading.

#### ORDERS OF THE DAY.

#### *Senate Bills on second reading.*

No. 23. A bill to incorporate the Trustees of the Greencastle Female Collegiate Seminary.

On motion,

The bill was referred to a select committee consisting of Messrs. Johnston of Putnam, Donnouhie and Hunt.

No. 42. A bill defining the duties of county treasurers in the several counties therein named.

Mr. Miller moved to amend the bill inserting "St. Joseph county;" Which amendment,

Mr. Kelso moved to amend by inserting after the repealing clause, "so far as relates to the counties aforesaid."

Which amendment was adopted.

On motion by Mr. Riley,

The county of Hancock was stricken out.

On motion by Mr. Drake,

The county of Marion was stricken out.

On motion by Mr. Ryan,

The county of Madison was stricken out.

On motion by Mr. Dawson,

The counties of Steuben and DeKalb were stricken out.

On motion by Mr. Odell,

The county of Carroll was stricken out.

On motion by Mr. Maddox,

The county of Fountain was stricken out.

On motion by Mr. Shaw,

The county of Hamilton was stricken out.

On motion by Mr. Hughes,

The county of Pulaski was stricken out, and the county of White inserted.

On motion by Mr. Starbuck,

The bill was laid on the table.

No. 62. A bill to legalize the location of a certain State road therein named.

On motion,

The bill was laid upon the table.

On motion by Mr. Edwards,

The vote on laying on the table "No. 42. A bill defining the duties of county treasurers in the several counties therein named," was reconsidered.

On motion by Mr. Hill,

The county of Clinton was stricken out.

The question on laying the bill on the table was decided in the negative.

On motion by Mr. Huddleston,

The county of Rush was stricken out.

On motion by Mr. Goldsberry,

The county of Tippecanoe was stricken out.

On motion by Mr. Harlan,

The county of Grant was inserted.

The bill as amended was then ordered to a third reading.

## HOUSE BILLS ON SECOND READING.

No. 82. A bill to incorporate the town of Lamasco city and define the power of the president and trustees thereof.

On motion,

The bill was laid on the table.

No. 83. A bill to prevent intemperance in Wayne township in the county of Henry.

Mr. Kelso moved to strike out the clause providing for indictment and presentment.

Which amendment was not adopted.

Mr. Morgan moved to strike out so much of the bill as provides the publication in the "Indiana Journal" and "State Sentinel."

Mr. Dunn moved to refer the bill to the committee on the judiciary;

Which motion prevailed.

On motion by Mr. Edmonson,

The House adjourned.

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*Two o'clock, P. M.*

The House met.

On motion by Mr. Edmonston,

The special order, (which was the resolution authorizing the select committee in the petition of James Galletly to send for persons and papers,) was suspended.

A message from the Senate by Mr. Miller, a Senator:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

No. 22. An act to incorporate a company to construct a Rail Road from Evansville, on the Ohio river, to connect with the Ohio and Mississippi Rail Road, at or near Olney, in the State of Illinois, via Princeton, Gibson county, Indiana, and Mount Carmel, Illinois.

In which the concurrence of the House of Representatives is respectfully requested.

Which was read a first time, and passed to a second reading.

On motion by Mr. James,

The rules were suspended and the bill read a second time.

Mr. Wolfe moved to refer the bill to the committee on corporations, which motion did not prevail.

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Dobson,

The resolution which had been made the special order of the day by a vote of the House was taken up.

*Resolved*, That the select committee, to whom was referred the petition of James Galletly, have power to send for persons and papers.

The question on the adoption of the resolution was decided in the affirmative.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills and joint resolutions thereof, to-wit:

No. 4. An act to incorporate "The Richmond and Newport Turnpike Company;"

No. 6. An act to exempt the county of Washington from the force and operation of the 61st section of the act entitled "An act to provide for the continuance of the construction for all or any part of the Public Works of this State by private companies, and for abolishing the Board of Internal Improvements and the offices of Fund Commissioner and Chief Engineer," approved January 28, 1842;

No. 8. An act to incorporate "The Richmond and Williamsburg Turnpike Company;"

No. 13. An act to authorize the election of township assessors in the county of Jay;

No. 16. An act to amend the "Act incorporating the Harrison, New Trenton, Rochester, and Brookville Turnpike Company;"

No. 29. An act to give effect to the last will and testament of Jane Parker;

No. 18. An act to incorporate "The Laporte Iron Manufacturing Company;"

No. 19. An act to amend "An act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, and to amend the same," approved February 14, 1848;

No. 31. An act to amend an act entitled "An act regulating the practice of law in the Allen circuit court, and for other purposes," approved 15th January, 1844.

No. 40. An act incorporating "The Dayton and Frankfort Plank Road Company;"

No. 47. An act to incorporate "The Lima Band;"

No. 50. An act to authorize the establishment of a ~~ferry~~ across the Wabash River at the town of Independence;

No. 53. An act to incorporate "The Fair Play Fire Engine and Hose Company" of the city of Madison;

No. 54. An act to amend the Peru and Indianapolis Rail Road charter;

No. 55. An act to amend "An act to incorporate the Fairfield Hydraulic Company";

No. 63. An act to amend the several acts now in force incorporating the town of Greensburg;

No. 72. An act to amend an act entitled "An act to incorporate the Crawfordsville and Wabash Rail Road company," approved 19th January 1846.

No. 76. An act to define the jurisdiction of the justices of the peace in the several counties therein named;

No. 58. A joint resolution relative to the right of way for a rail way in Illinois;

No. 59. A joint resolution relative to the right of way of the Ohio and Mississippi Rail Road in Illinois;

In which the concurrence of the House of Representatives is respectfully requested.

Which were severally read a first time, and passed to a second reading.

Leave of absence was granted to Mr. Ryan.

On motion by Mr. Kelso,

A bill for the relief of Robert Jones, which had been referred to a select committee, was withdrawn from the same and laid on the table.

Mr. Webster was granted leave to withdraw from the files the petition of Robert Jones.

On motion by Mr. Dunn,

The veto messages on bills passed within the last five days of the final adjournment of the last session, were taken up.

*To the House of Representatives:*

GENTLEMEN:—The accompanying bill, entitled "An act to incorporate the Madison and Cross Plains Turnpike Company," was passed at the last session of the General Assembly, but not having been presented to me for approval until within the last four days before the final adjournment, the same is now returned as provided by the Constitution, with my reasons for withholding my signature.

I am fully sensible of the benefits resulting from the construction of works of the character of those authorized by this bill. My wishes are strongly enlisted in favor of their successful prosecution, and I shall consequently take pleasure in giving all needful co-operation for the attainment of that object, if the same can be done consistently with the paramount rights of the public.

In this bill, however, there is a provision authorizing the Boards of Commissioners of the different counties, through which it is in contemplation to lay the Turnpike, to subscribe stock towards its construction in behalf of their respective counties. The reasons of my dissent from this policy, were indicated on the occasion of returning at the last session with my objections, a bill, entitled "An act for the relief of the White Water Valley Canal Company," which will be found in the Journal of the House, (p. 341,) and to which I beg leave respectfully to refer.

The opinions there entertained have only gathered strength by subsequent reflection. Waving other objections at that time, the specific ground on which my disapproval of that bill was based, was that the people were not allowed an opportunity of confirming or of rejecting the subscription of stock except by attending at a single precinct in each county, viz., at the Court House, for the purpose of voting.

In the bill now returned, however, there is no provision for allowing the people of the counties an opportunity for voting, even at one precinct, whether the stock shall or shall not be taken. As it is for their benefit that the stock is presumed to be taken, and as it must be paid for from their pockets, I feel sure that a provision giving them the opportunity alluded to, would have been inserted in the bill, if the matter had suggested itself, during its progress in the two Houses.

The bill is, therefore, respectfully returned, in the hope that the defect may be supplied, and the bill be put on its passage early in the present session.

I desire to add, in justice to myself, however, what may easily be inferred from the message of last session, to which reference has already been made, that I feel a decided repugnance to the policy of counties taking stock, or making investments in any enterprise or business not strictly within the scope of their civic organization.

To what extent such a policy must prove injurious would of course depend upon the number of counties engaging in it, and the amount of their investments.

The approval of such a policy by the voters of a county, would of course not change its effect for good or for evil, but as I have heretofore withdrawn all objections where a free opportunity has been afforded to them to give or withhold such approval, I feel disposed to defer to their action in the premises.

JAMES WHITCOMB.

*December 5, 1848.*

No. 159. An act to incorporate the Madison and Cross Plains Turnpike Company;

The question then being,

"Shall the bill pass notwithstanding the objections of His Excellency, the Governor?"

*Those who voted in the affirmative are,*

Messrs. Allen, Barbour, Blakemore, Bundy, Commons, Cotton, Dougherty of Morgan, Drake, Dunn, Duvall, Edwards, Frazer, Jessie, Gillum, Goodwin, Hankins, Hicks, Huddleston, Hunt, Jackman, Johnston of Putnam, Julian, Kelley, Kelso, Line, Meacham, Miller, Morgan, Odell, Orr, Parker of Allen, Rifner, Ross of Miami, Rousseau, Ryan, Spencer, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, and Wilson—44.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Brady, Buskirk, Caldwell, Casselberry, Chambers, Cravens, Dawson, Decker, Dobson, Donnohue, Dougherty of Boone, Doyle, Edmonston, Ford, Graham, Hendricks, Hill, Howell, Huckleberry, Hughes, James, Jones of Bartholomew, Jones of Huntington, Mills, Nicholson, Osborn, Parker of Brown, Pierce, Place, Rice, Riley, Rippey, Ross of Wabash, Shaw, Smith, Thompson, Winstandley, Withers, Wolfe, Wood, Young and Mr. Speaker —44.

So the bill did not pass.

Mr. Morgan moved a call of the House.

Which motion did not prevail.

Mr. Parker, of Brown, moved that the House adjourn.

Which motion did not prevail.

*To the House of Representatives :*

GENTLEMEN:—The bill entitled “an act in relation to that portion of the Northern Division of the Central Canal, which lies between Broad Ripple in Marion county, and Waverly in Morgan county,” passed at the last session, but not presented to me for approval, until the day next before final adjournment, is now respectfully returned to your House in which it originated, with the objections occurring to my mind, to its becoming a law.

The bill appoints three persons as Commissioners, “to settle and adjust all accounts and matters of difference” between the State and the several lessees of water power on that part of the canal indicated in the title. This is in effect, authorizing a suit to be brought against the State, and occasion was taken in my message of last session returning to the Senate the bill for the relief of Jesse Beard and Elias L. Beard (Journal p. 513) to submit reasons why it was thought this should not be done. In that case, however, the Commissioner was not as in the present case appointed in the bill. As a general rule it seems to me, that this is exceptionable. It affords an opportunity of appointing persons whose opinions have been formed and expressed. Independently of this, the State is almost sure to suffer injustice in such proceedings. Individuals stimulated

by self interest, show more energy in conducting their part of the investigation, and more still in securing sympathy, than can be shown by the comparatively helpless State. But, ample provision already exist, for making a settlement. The leases or contracts are clear and specific in their terms. The quantity of water to which each lessee is entitled under his contract is fixed by an unerring rule. The amount of the rent is established by the contract, which also provides that the partial or total deprivation of the water power leased, by the act of the State or its agents, or by inadequate supply shall be no cause of complaint, unless extended beyond one month in every year. And if so extended, the lessee is merely exonerated from paying rent during the additional time without being entitled to damages.

The present Agent or Superintendent is authorized to make a settlement with any lessee on these terms, and they are the terms of the contract. [Acts of 1845-6, p 29.]

If it is feared that injustice might be done by his decisions, let provision be made by law for an appeal to the Auditor, Secretary, and Treasurer of State, whose duty it was to settle with the lessees, (before that business was cast upon the Agent, by the last cited act,) and who consequently possess the requisite knowledge and experience. These officers are all known to the law, they are responsible to the legislature, not only on the question of their re-election, but their conduct is properly subject to scrutiny at any session. On the contrary the functions and appointment of private Commissioners named in any bill, cease with the investigation for which they were appointed. They then merge again into the community and are not amenable (as in the case of officers) to impeachment, nor have they offices or emoluments to lose. My remarks, will be understood, of course, not as of individual application, but in reference to the general rule, which should always be adhered to in cases like the present.

But a still stronger objection to the bill, is the extraordinary power given to the Commissioners to change the operation of the contract itself to the injury of the State. After empowering them to give to any lessee all the credits and advantages stipulated in the contract, the bill provides that the Commissioners "shall also make to him *any other allowances* which to them shall seem just and equitable." This is a power without limit. The contract is entirely lost sight of. The bill afterwards contemplates that the State may be brought in debt;—which by the law and contract could not under present circumstances be done. For there is express provision in the contract against allowing a lessee damage for failure to supply water, whether caused by floods or otherwise, except by suspending his rent for which allowance can be made by the Agent without any new statute on the subject.

It seems to me hard enough for the State to pay as she did more than \$20,000 for repairing the canal lately, and to perform her part

of the contract, in other respects, without not only losing the pittance of rent in return, but perhaps to be brought in debt.

The granting of the favor sought for by this bill, would tend to deprive the State of the rents with which she has to pay the workmen for keeping the canal in repair. It would operate injuriously on such lessees as punctually pay their rents, for they are entitled in return to that supply of water, to give which it is required that the canal shall be kept in repair, and to keep it in repair, these rents are necessary.

In conclusion it may be stated that in reference to existing laws and to the form of the leases it will be seen that nearly every other provision in the bill having a beneficial object in view, is already provided for, but that by the 17th section, another change is made in the leases, by substituting a less effective remedy against the lessees for failing to pay their rent.

The subject is respectfully submitted again to the wisdom of the Legislature; and with the less reluctance, because the effect of doing so is little more, than a virtual reconsideration.

JAMES WHITCOMB.

*December 5, 1848.*

No. 422. An act in relation to that portion of the Northern Division of the Central Canal, which lies between Broad Ripple in Marion county, and Waverly in Morgan county;

The question then being,

Shall the bill pass notwithstanding the objections of His Excellency, the Governor?

*Those who voted in the affirmative are,*

Messrs. Julian, and Ross, of Wabash—2.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Barbour, Blakemore Brady, Bryant, Bundy, Buskirk, Caldwell, Casselberry, Chambers, Commons, Cotton, Cravens, Dawson, Decker, Dobson, Donnohue, Dougherty, of Boone, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Edmonston, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Graham, Hankins, Hendricks, Hicks, Hill, Howell, Huckleberry, Huddleston, Hughes, Hunt, Jackman, James, Johnson, of Putnam, Jones, of Bartholomew, Jones, of Huntington, Kelley, Kelso, Line, Maddox, Meacham, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Parker, of Allen, Parker, of Brown, Pierce, Place, Rice, Rifner, Riley, Rippey, Ross, of Miami, Ryan, Shaw, Smith, Snook, Spencer, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Web-

ster, Wilson, Winstandley, Withers, Wolfe, Wood, Young, and Mr.  
Speaker—87

So the bill did not pass.

On motion by Mr. Buskirk,  
The House adjourned.

FRIDAY MORNING, DECEMBER 22, 1848.

The House met.

The Speaker announced the following standing committee on manufactures and commerce :

Messrs. Cotton, Caldwell, Dannohue, Hughes, Webster, Thompson, and Starbuck.

A message from the Senate by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment, to-wit:

No. 13. An act to change the name of Mary Miranda Landrum.

No. 32. An act to amend an act, entitled, "an act to incorporate the Centreville and Abington Turnpike Company," approved February 12, 1848.

No. 46. An act to amend an act providing for the appointment of Supervisors of highways in the counties of Decatur, Jefferson and Spencer, approved 26th Dec., 1844.

No. 55. An act to amend "An act to authorize a company to construct the Aurora and Laughery turnpike;" approved 15 Feb., 1848.

PETITIONS, &c., PRESENTED.

By Mr. Snook,

The remonstrance of citizens of Montgomery county against the location of a State road from Ladoga *via*. North Salem to Danville;

Which,

On motion by Mr. Snook,  
Was referred to the committee on roads.

By Mr. Gessie,

The remonstrance of Charles English and others, against the petition of Jacob Rudy and others, for a change in a State road in Vermillion county;

Which,

On motion,  
Was laid on the table.

By Mr. Howell,

The petition of citizens of Blackford county, praying for the passage of a bill to attach certain territory in Delaware county to Blackford county.

Which,

On motion,  
Was referred to a select committee, consisting of,  
Messrs. Howell, Wood, and James.

By Mr. Rippey,

The petition of citizens of Elkhart county, praying for the repeal of so much of the road law as authorizes supervisors to lay an extra road tax on real estate and personal property, within said county;

Which,

On motion,  
Was referred to a select committee consisting of,  
Messrs. Rippey, Pierce, and Hill.

By Mr. Bryant,

The petition of E. F. Lucas, late Superintendent of the Wabash and Erie canal, praying for a compensation for a loss sustained by him in consequence of abstraction of scrip from the Land Office.

Which,

On motion by Mr. Bryant,

Was referred to the committee on claims.

#### REPORTS FROM COMMITTEES.

Mr. Dunn, from the committee on education, make the following report:

MR. SPEAKER :

The committee on education, to whom was referred a resolution of the House instructing said committee to enquire into the expediency of amending sec. 88 of chapter 13 of the Revised Statutes of 1843, so as to make the liabilities and duties of county auditors the same in loaning the county seminary funds as in loaning the surplus revenue and common school funds, have had the subject of

said resolution under consideration, and have directed me to report the following bill and recommend its passage :

No. 141. A bill regulating loans of the county seminary fund ;

Which was read a first time and passed to a second reading.

Mr. Kelso, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred the petition of Ransom Phillips and others, securities of the late school commissioner of Posey county, praying to be released from their liability, &c., have had that matter under consideration, and have come to the conclusion that in as much as the money which the petitioner seeks to avoid the payment of is of the school funds of said county, in which the people of said county have a direct interest, it would not only be inexpedient, but highly improper for the Legislature in any way to interfere with the subject matter of said petition, and respectfully ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Dowling, chairman of the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements to which was referred the petition of Timothy Griffin and others, on the northern division of the central canal, asking payment for labor done, have had the same under consideration, and have directed me to report the accompanying bill for their relief, and respectfully recommend its passage :

No. 142. A bill to pay laborers employed on the northern division of the central canal ;

Which was read a first time and passed to a second reading.

Mr. Edmonston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House, No. 72, entitled "an act to incorporate the Madison county Hydraulic and Manufacturing Company," have had the same under consideration, and have directed me to report the same back to the House with one amendment, which, when adopted, they recommend its passage.

Amend by striking out the 13th section and insert the following :  
 "The President and Directors shall be individually liable for all debts contracted in the prosecution of the works contemplated in said charter, over and above the solvent stock secured to said company, and the Legislature reserves the right to alter, amend, or repeal this charter when any of its provisions shall be violated by said company."

Which amendment was concurred in.

The bill as amended was then ordered to be engrossed.

Mr. Edmonston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the Senate No. 10, an act to incorporate the Columbus, Nashville and Bloomington Railroad Company, have had the same under consideration, and directed me to report the same back to the House, with one amendment, when adopted they will recommend its passage :

Amend as follows :

Sec. —. The President and Directors of said company are individually liable for all debts contracted in the prosecution of said work, over and above the amount of solvent stock secured to the company, and the Legislature reserved the right to alter, amend, or repeal this charter when any of its privileges are violated by said company ;

Which amendment was concurred in.

The bill as amended was then ordered to a third reading.

Mr. Hunt, chairman of the committee on scientific and Benevolent institutions, made the following report :

MR. SPEAKER :

The committee on benevolent and scientific institutions, to whom was referred a resolution of the House instructing said committee to provide for the filling of a blank in a certain act therein named, have had that subject under consideration and directed me to report the accompanying bill and recommend its passage.

No. 143. A bill to amend the act for the government of the Indiana Hospital for the Insane, approved February 15th, 1848 ;

Which was read a first time, and passed to a second reading.

Mr. Johnston of Putnam, from a select committee made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the Senate No. 23, entitled, "an act to incorporate the trustees of the Green-castle Female Collegiate Seminary," have had the same under consideration, and have directed me to report the same back without amendment, and recommend its passage ;

Which bill was ordered to a third reading.

Mr. Dobson, from a select committee, made the following report :

MR. SPEAKER :

The select committeee to whom was referred the petition of sundry citizens of Owen county, have had the same under consideration and have directed me to report the following bill and recommend its passage.

No. 144. A bill to repeal an act therein named, so far as the same relates to Owen county ;

Which was read a first time and passed to a second reading.

Mr. Snook, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred so much of the Governor's message as relates to the subject of calling a convention to alter, amend, and revise the constitution of this State, have had the same under consideration, together with sundry resolutions which were referred to them, and have instructed me to report back the accompanying bill, No. 11, and recommed its passage.

Mr. Kelso moved to strike out the word "change," in the second section, and insert the word "amend;"

Which amendment was adopted.

The bill as amended was then ordered to be engrossed.

On motion by Mr. Kelso,

"No. 69, a joint resolution relative to amendments in the constitution," and "No. 76, a bill providing for taking the sense of the qualified voters of this State, on the calling a convention to revise or amend the constitution of this State ;"

Were laid on the table.

Mr. Dobson, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Susanna Gibbons, have had the same under consideration and have directed me to report the following bill, and recommend its passage.

No. 145. A bill for the relief of Susanna Gibbons ;

Which was read a first time, and passed to a second reading.

Mr. Campbell, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition praying for a charter to construct a Turnpike road from Mt. Carmel to intersect the Brookville, Rochester, New Trenton, and Harrison Turnpike, at or near the mouth of Johnson's fork in Dearborn county, have had the same under consideration and instructed me to report the following bill and recommend its passage, and ask to be discharged from said committee.

No. 146. A bill to incorporate the Mt. Carmel and Harrison Turnpike Company ;

Which was read a first time, and passed to a second reading.

Mr. Orr, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 34, have had the same under consideration, and have directed me to report the same back to the House with following amendment and respectfully recommend its passage.

No. 34. A bill to regulate the fees and salaries of certain officers in Delaware county.

Strike out all after the enacting clause and insert the following :

1st. That the Treasurer of Delaware county shall receive a salary of *four hundred* dollars per year, to be paid out of the Treasury of said county, which salary shall be in full for all the services required now by law at his hands, the collecting and disbursing the State and county revenue of said county. And it shall be his duty to retain the full per cent that is now allowed him by law, for collecting the State and county revenue of said county, which per cent when collected, shall be subject to all orders, such as other county funds are subject to.

2nd. And it shall further be his duty, in his annual report, to set forth under the head of *per cent* fund, the sum total of said *per cent* for the past current year, and either failing or refusing to comply with the provisions in this and the preceding section, shall be subject to the same penalties to which he would be subject for failing to comply with any other part of his duty.

3d. That the salary of the Auditor of said county of Delaware, shall be four hundred dollars per year: *Provided*, that nothing con-

tained in this section be so construed as to effect the perquisites now received by him from individuals.

4th. The Commissioners in and for the county of Delaware shall each receive one dollar and fifty cents per day, for the time they are engaged in the necessary discharge of their duty as such commissioners.

5th. All laws and parts of law contravening the provisions of this act, be and the same are hereby repealed, so far as relates to the county of Delaware.

6th. This act to take effect and be in force from and after its passage, and it is hereby made the duty of the Secretary of State to forward immediately to the clerk of the Delaware Circuit Court a certified copy of the above act.

The question being on concurring in the amendment of the committee, was decided in the negative.

On motion by Mr. Webster,

The bill was laid on the table.

Mr. Webster having obtained leave, presented the petition of Samuel P. Anthony and other, citizens of Delaware county, on the subject of reducing the pay of the member from Delaware county, &c.

On motion by Mr. Orr,

The petition was referred to a select committee.

The Speaker appointed Messrs. Webster, Orr and Harlan, said committee.

Mr. Orr asked to be excused from serving on said committee, and was accordingly excused by consent of the House.

Mr. Kelso was appointed in the place of Mr. Orr.

Mr. Harlan asked to be excused, but the House refused to excuse him.

On motion by Mr. Webster,

House bill No. 34 was taken from the table.

On motion by Mr. Kelso,

The bill was referred to the select committee to whom was referred the petition of Samuel P. Anthony and others.

Mr. Julian moved to instruct the committee as follows:

"Sec. —. That this act shall not be taken or construed as an intimation that the people of the said county of Delaware are too poor to pay their officers the usual fees.

Mr. Duvall moved to lay the instructions of Mr. Julian on the table;

Which motion did not prevail.

The question being on the adoption of the instructions of Mr. Julian,

Was decided in the affirmative.

## RESOLUTIONS.

Mr. Lozier offered the following resolution :

*Resolved*, That the House will, the Senate concurring therein, adjourn *sine die* on Monday the 15th day of January next.

Mr. Kelso moved to lay the resolution on the table.

The ayes and noes being demanded by Messrs. Lozier and Julian,

*Those who voted in the affirmative are,*

Messrs. Allen, Brabour, Blakemore, Brady, Bryant, Bundy, Caldwell, Campbell, Chambers, Cotton, Decker, Dobson, Dougherty of Boone, Dowling, Doyle, Drake, Dunn, Edmonston, Edwards, Frazer, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Hicks, Hill, Jackman, James, Jones of Bartholomew, Jones of Huntington, Kelley, Kelso, Line, Maddox, Odell, Osborn, Parker of Allen, Place, Rice, Rifner, Riley, Ross of Miami, Ross of Wabash, Rousseau, Snook, Spencer, Stanton, Tuttle, Vance, Vawter, Webster, Wilson, Wolfe, Young and Mr. Speaker—56.

*Those who voted in the negative are.*

Messrs. Alden, Alexander, Casselberry, Commons, Cravens, Dawson, Donnouhue, Dougherty of Morgan, Duvall, Ford, Howell, Huckleberry, Huddleston, Hughes, Hunt, Johnson of Dearborn, Johnston of Putnam, Julian, Lozier, Meacham, Miller, Mills, Morgan, Nicholson, Orr, Pierce, Rippey, Smith, Starbuck, Wade, Winstandley, Withers and Wood—33.

So the resolution was laid on the table.

Leave of absence was granted to Messrs. Buskirk and Parker of Brown.

On motion by Mr. Line,

*Resolved*, That the remarks of Mr. Dunn in relation to the death of Hon. S. Goodenow, be placed upon the journal of this House.

Mr. Withers offered the following resolution :

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency and propriety of so changing the present probate laws, as to make real estate assetts in the hands of administrators of solvent estates, in the same mannner as personal property is now subject by law, and they have leave to report by bill or otherwise ;

Which was not adopted.

Mr. Edwards offered the following resolution :

*Resolved*, That the special order of the day, for the 25th of De-

ember, shall be taken up for consideration in the committee of the whole House.

Mr. Edmonston moved to strike out the resolution from the enacting clause, and insert the following :

"That this House will, when it adjourns on Saturday evening next, adjourn to meet on Tuesday the 26th inst., at 9 o'clock, A.M."

Which amendment was accepted by Mr. Edwards.

The question being on the adoption of the resolution.

The ayes and noes being demanded by Messrs. Kelso and Parker of Allen,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Allen, Blakemore, Brady, Bryant, Bundy, Caldwell, Campbell, Chambers, Commons, Cotton, Cravens, Decker, Dougherty of Boone, Dougherty of Morgan, Dowling, Dunn, Duvall, Edmonston, Edwards, Frazer, Gessie, Goodwin, Graham, Hicks, Hill, Huddleston, Hughes, Hunt, Jackman, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Kelley, Lozier, Maddox, Pierce, Rifner, Riley, Ross of Miami, Ross of Wabash, Shaw, Snook, Stanton Thompson, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Winstandley, Young and Mr. Speaker—56.

*Those who voted in the negative are,*

Messrs. Barbour, Casselberry, Dawson, Dobson, Donnouue, Doyle, Drake, Ford, Gillum, Hankins, Harlan, Hendricks, Howell, Huckleberry, Jones of Huntington, Julian, Kelso, Line, Meacham, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Parker, of Allen, Place, Rice, Rippey, Sinith, Spencer, Starbuck, Withers, Wolfe and Young—36.

So the resolution was adopted.

On motion by Mr. Line,

*Resolved*, That a committee of three be appointed to call upon the Principals of the Deaf and Dumb and of the Blind Asylum, to ascertain how soon they will give the members of the present General Assembly, an exhibition of their pupils, and that said committee be authorized to make the necessary arrangements on the part of the House, and to report at their earliest convenience.

The Speaker appointed Messrs. Line, Hunt, and Drake, said committee.

Mr. Vance offered the following preamble and resolution :

Whereas, In many, if not all the several townships of the respective counties in this State, which have prohibited license for the re-

tail of spirituous liquors within the borders of said several townships respectively, as provided for by the Statutes of this State, it is considered doubtful whether Justices of the Peace have jurisdiction and power to inflict the penalty provided by said Statutes, for all breaches of said license laws. And whereas, The remedy by indictment and presentment, instead of affecting what was designed by the framers of the law, the subversion of the evil of retailing ardent spirits, does seem to operate rather as an encouragement of, than a suppression of the evil. Therefore,

*Resolved*, That the judiciary committee be, and it is hereby instructed to enquire whether Justices of the Peace of the several townships referred to in the preamble aforesaid, have jurisdiction over all breaches of the license laws; and if not, to enquire into the expediency of giving them jurisdiction, and report to this House at an early day of the session, by bill or otherwise.

Which was adopted.

#### BILLS INTRODUCED.

Mr. Huckleberry introduced

No. 147. A bill to amend an act entitled "An act to incorporate the Indiana Canal Company;"

Mr. Ford introduced

No. 148. A bill to provide for the selection of petit jurors in the county of Jackson;

Mr. Place introduced

No. 149. A bill relative to the Commissioners of the Western Division of the Buffalo and Mississippi Rail Road Company;

Mr. Cotton introduced

No. 140. A bill to amend an act entitled "An act to lease the Indiana State Prison, and for other purposes," approved, January 16, 1846;

Mr. Rice introduced

No. 151. A bill to amend the 50th chapter of the Revised Statutes of 1843;

Mr. Allen introduced

No. 152. A bill to amend an act entitled "An act to incorporate the Mount Vernon and New Harmony Rail Road Company," approved, February 16, 1848;

Mr. Campbell introduced

No. 153. A bill to attach certain townships therein named, to the county of Blackford;

Mr. Goodwin introduced

No. 154. A bill changing the mode of assessing State and county revenue in the counties of Daviess, Martin, and Spencer;

Which were each severally read a first time and passed to a second reading.

On motion by Mr. Rippey,  
The House adjourned.

*Two O'clock, P. M.*

The House met.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, have compared the following enrolled bills with the engrossed bills, and find them correctly enrolled, to-wit.:

No. 9. An act to incorporate the Ladies Sigourney Library, at Logansport;

No. 27. An act to amend an act, entitled "An act for the relief of certain persons therein named," approved Feb. 16, 1848;

Whereupon, the Speaker signed the same.

*Ordered*, That the clerk inform the Senate thereof.

The House then took up the following messages from the Senate :

A message from the Senate, by Mr. Orth, a Senator :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate have passed the following engrossed bill thereof, to-wit.:

No. 35. An act incorporating the Lafayette Plank Road Company;

In which the concurrence of the House is respectfully requested.

Which bill was read a first time and passed to a second reading.

The House proceeded to consider the remainder of the bills contained in a message from the Senate, which the House took up on the 19th inst.:

No. 25. An act to incorporate the Cross Plains and Laughery Turnpike Company;

No. 56. An act to change the name of Emeline Grubb;

No. 57. An act to legalize the sale of certain school sections therein named;

No. 64. An act in relation to the highway tax of La Grange county;

No. 77. An act for the relief of John and Sarah Wilson.

Which were each severally read a first time and passed to a second reading.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

No. 69. An act to incorporate the United Protestant German Saint Zion Church, in Union township, Shelby county, Indiana;

In which the concurrence of the House is respectfully requested.

Which was read three several times, the rules having been suspended therefor and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Davis, a Senator:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill thereof, entitled,

No. 86. An act in relation to the New Albany and Salem Rail Road company;

In which the concurrence of the House is respectfully requested.

Which bill was read a first time, and passed to a second reading.

A message from the Senate by Mr. Test, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed joint resolution and bills thereof, to-wit:

No. 89. A joint resolution authorizing an additional subscription by the State in the stock of the Madison and Indianapolis Rail Road company, and for the sale thereof;

No. 97. An act to incorporate "The Hillsborough Horse Thief detecting company;"

No. 100. An act to authorize the commissioners of Laporte county to settle with the securities of William Hawkins;

No. 104. An act to authorize the board of commissioners of Washington county to issue orders for the payment of the amount subscribed by such county to the capital stock of the New Albany and Salem Rail Road company;

In which the concurrence of the House is respectfully requested.

Which were severally read a first time, and passed to a second reading.

A message from the Senate by Mr. Read, a Senator:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-

tives that the Senate has adopted the following resolution in which the concurrence of the House is respectfully requested,

*Resolved*, That the Senate will the House of Representatives concurring therein, adjourn *sine die* on Tuesday, the 16th day of January next.

Mr. Dobson moved to lay the resolution on the table.

The ayes and noes being demanded by Messrs. Wolfe and Morgan.

*Those who voted in the affirmative are:*

Messrs. Barbour, Blakemore, Brady, Bryant, Cotton, Dobson, Dougherty of Boone, Drake, Dunn, Edwards, Frazer, Gillum, Goodwin, Hankins, Hicks, Hill, Jackman, Kelley, Kelso, Line, Pierce, Place, Rousseau, Shaw, Smith, Snook, Tuttle, Vawter, Webster, Wilson, Young, and Mr. Speaker—32.

*Those who voted in the negative are:*

Messrs. Alexander, Bundy, Caldwell, Casselberry, Chambers, Commons, Cravens, Dawson, Decker, Donnoghue, Dougherty of Morgan, Doyle, Duvall, Edmonston, Ford, Gessie, Graham, Hendricks, Howell, Huckleberry, Huddleston, Hughes, Hunt, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Julian, Maddox, Meacham, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Ross of Miami, Ross of Wabash, Spencer, Stanton, Starbuck, Thompson, Vance, Wade, Winstandley, Withers, Wolfe, and Wood—54.

So the resolution was not laid on the table.

Mr. Riley moved to strike out “the 16th day of January” and insert “the 1st day of February.”

Mr. Kelso moved to postpone the further consideration of the resolution until the 2d day of January.

The ayes and noes being demanded by Messrs. Kelso and Edmonston.

*Those who voted in the affirmative are.*

Messrs. Alden, Barbour, Blakemore, Brady, Bryant, Bundy, Caldwell, Cotton, Cravens, Decker, Dobson, Donnoghue, Dougherty of Boone, Drake, Dunn, Edwards, Frazer, Ford, Gessie, Gillum, Graham, Hankins, Hicks, Hill, Howell, Jackman, Jones of Bartholomew, Jones of Huntington, Kelley, Kelso, Line, Maddox, Odell, Pierce, Rifner, Riley, Ross of Miami, Rousseau, Shaw, Smith, Snook, Thompson, Tuttle, Vawter, Webster, Wilson, Winstandley, Wood, Young and Mr. Speaker—50.

*Those who voted in the negative are,*

Messrs. Alexander, Allen, Casselberry, Chambers, Commons, Dawson, Dougherty of Morgan, Doyle, Duvall, Edmonston, Goodwin, Hendricks, Huckleberry, Huddleston, Hughes, Hunt, James, Johnson of Dearborn, Johnston of Putnam, Julian, Meacham, Miller, Mills, Morgan, Nicholson, Orr, Osborn, Parker of Allen, Place, Rice, Rippey, Ross of Wabash, Spencer, Stanton, Starbuck, Vance, Wade, Withers, and Wolfe—39.

So the consideration of the resolution was postponed until the 2d day of January.

A message from the Senate by Mr. Emerson, their Assistant Secretary:

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate have passed the following engrossed bills thereof, to-wit :

No. 21. An act to authorize Patsey C. Paden to sell certain real estate which she inherited from her father.

No. 30. An act fixing the times of holding the several circuit courts in the eleventh judicial circuit.

No. 39. An act to amend and extend section 60 of chapter 38 of the Revised Laws of 1843, so far as Jefferson county is concerned.

No. 41. An act to amend the law relative to costs in appeals from justices of the peace.

No. 43. An act to amend the Statute regulating the granting of divorces.

No. 45. An act authorizing David Moss to sell certain stone in Hamilton county.

No. 48. An act authorizing the construction of Plank Roads.

No. 49. An act relative to the Law Library.

No. 65. An act to incorporate the Brookville and Fairfield Turnpike Company.

No. 73. An act relative to the sale of school lands in certain counties therein named, and to amend article 13, chapter 13, of Revised Statutes of 1843.

No. 74. An act to repeal section 3, chapter 28, Revised Statutes of 1843, relative to contracts with Indians.

No. 75. An act to incorporate the General Association of Baptists in Indiana.

No. 78. An act for the relief of William Armstrong.

No. 81. An act to incorporate the Madison Marine Insurance Company.

No. 82. An act to incorporate the Richmond Bridge and Turnpike Company.

No. 85. An act for the relief of Lavina Whisler.

No. 87. An act to amend an act, entitled "An act to authorize the construction of Plank or Coal Roads," approved February 16, 1848.

No. 91. An act to extend the time of the sessions of the March and June terms of the Board of Commissioners of Knox county.

No. 98. An act for the relief of the Trustees of the Methodist Episcopal Church in the town of Rockford.

No. 103. An act changing the mode of doing county business in the county of Orange.

In which the concurrence of the House is respectfully requested.

Which were each severally read a first time, and passed to a second reading, *with the exception of*

No. 48. An act authorizing the construction of Plank Roads;

Which was read a first and second time,

The rules having been suspended therefor,

And referred to the committee on corporations.

#### ORDERS OF THE DAY.

##### *House Bills on second reading.*

No. 84. A bill for the relief of Christian Aigner ;  
Was ordered to be engrossed.

No. 85. A bill in relation to bridges, &c., in Fayette county ;  
On motion by Mr. Hankins,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 86. A bill to locate a State road from Fairfax, in Monroe county, to Findley's Mills, in Jackson county ;

Was a read a second time, and ordered to be engrossed.

No. 89. A bill to authorize the Governor of the State to sell certain rock belonging to the State of Indiana ;

Was read a second time, and ordered to be engrossed.

No. 90. A bill for the relief of Baker Spence ;

Was read a second time.

Mr. Wolfe moved to refer the bill to the committee on claims ;  
Which motion did not prevail.

On motion by Mr. Dobson,

The bill was referred to the committee on ways and means.

No. 92. A bill to authorize the Commissioners of Laporte county to borrow money, and for other purposes ;

Was read a second time, and ordered to be engrossed.

No. 93. A bill relative to county surveyors ;

On motion by Mr. Morgan,

The bill was referred to the committee on the judiciary.

No. 94. A bill to authorize the erection of a new Seminary in Henry county ;

Was read a second time, and ordered to be engrossed.

No. 95. A bill to incorporate the Central Plank Road Company ; Mr. Drake moved to amend "by striking out the last proviso in the 19th section ;"

Which amendment was adopted.

Mr. Edwards moved to refer the bill to the judiciary committee, with instructions to inquire—

"Whether the Legislature ought to receive that part of the Cumberland Road which lies within the State of Indiana, or any part of the same, as relinquished and surrendered by the General Government?"

Mr. Riley moved to strike out so much of the instruction as referred to this bill ;

Which motion did not prevail.

The question on referring the bill to the committee on the judiciary, with instructions,

Was decided in the affirmative.

A message from the Senate, by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment :

No. 28. An act to amend an act entitled "an act relative to high waters in Jackson county," approved 16th February, 1848.

No. 63. An act for the relief of John McCullough of Cass county.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, with one amendment :

No. 35. An act authorizing Justices of the Peace in Harrison county to perform the duties of Coroner in certain cases.

In which amendment the concurrence of the House is respectfully requested.

Which amendment was concurred in by the House.

*Ordered*, That the clerk inform the Senate thereof.

On motion by Mr. Maddox,  
The House adjourned.

SATURDAY MORNING, DEC. 23, 1848.

The House met.

The Speaker laid before the House the following communication from the Auditor of State :

STATE AUDITOR'S OFFICE, }  
December 22, 1848. }

*Hon. G. W. Carr,*

*Speaker of the House of Representatives :*

SIR:—The following resolution, adopted by the House of Representatives on yesterday, was handed to me this forenoon, viz:

*Resolved*, That the Auditor of State be requested to report to this House, at as early a day as possible,

1st. The whole amount of canal scrip issued by authority of the State for the completion of the Wabash and Erie canal east of the mouth of the Tippecanoe river, (commonly called "white dog;") with the dates of the several issues, and the amount of each.

2d. The amount redeemed and cancelled by the State prior to the transfer of said canal to the "Board of Trustees of the Wabash and Erie canal," giving the dates and amount of each date.

3d. The amount which has been redeemed by said Trustees and reported to said Auditor, if any, with the dates and amount of each date.

In answer to the first inquiry in the resolution, I reply that the books of this office show the following amounts of canal land scrip east, issued at the dates following, viz:

|       |           |                                |          |
|-------|-----------|--------------------------------|----------|
| 1842, | May 7.    | From No. 1 to No. 10,268,      | \$51,340 |
| 1843, | May 20.   | From No. 10,269 to No. 11,269, | 5,005    |
| 1843, | May 25.   | From No. 11,270 to No. 15,262, | 19,965   |
| 1843, | Dec. 28.  | From No. 15,262 to No. 20,962, | 25,000   |
| 1844, | May 4.    | From No. 20,262 to No. 24,262, | 20,000   |
| 1844, | Sept. 4.  | From No. 24,262 to No. 28,262, | 20,000   |
| 1844, | Oct. 19.  | From No. 28,262 to No. 34,262, | 30,000   |
| 1845, | April 23. | From No. 34,262 to No. 44,262, | 50,000   |
| 1845, | July 11.  | From No. 44,262 to No. 50,262, | 30,000   |
| 1845, | Aug. 22.  | From No. 50,262 to No. 54,262, | 20,000   |
| 1846, | Feb. 10.  | From No. 54,262 to No. 61,262, | 35,000   |

|                                                 |              |
|-------------------------------------------------|--------------|
| Whole amount issued by Auditor and Treasurer,   | \$306,310    |
| Amount issued by J. D. Williams, Com., certifi- |              |
| cates from No. 1 to No. 7,097,                  | 82,198 04    |
| Amount issued by S. Fisher, Com., Nos. 7,098 to |              |
| 7,214,                                          | 7,711 01     |
| Total,                                          | \$396,219 05 |

The \$306,310, above stated as having been issued by the Auditor and Treasurer of State, is all that is officially known to this office to have been issued. The issue of the remainder, amounting to \$89,909 05, was made by the commissioners of the Wabash and Erie canal in the years 1841 and 1842, and was issued in exchange for certificates previously given to contractors, for work done on the Wabash and Erie canal, under authority, as I suppose, of an act of the General Assembly, approved Feb. 15. 1841. The only way in which this office knows any thing of the issue of these latter certificates is by a register unofficially filed here by one of the commissioners some time after the scrip was issued. By an examination of that register the amount issued by the commissioners appears to be \$89,909 05, and this amount added to the \$306,310 issued by the State officers, makes the whole issue, as previously stated, \$396,219 05.

2d. There have been redeemed and cancelled at the Treasury the following sums, viz :

|                 |                                                 |              |
|-----------------|-------------------------------------------------|--------------|
| 1843, Sept. 19, | As per warrant No. 6487,                        | \$33,452 11  |
| 1843, Sept. 19, | As per warrant No. 6490,                        | 31,419 68    |
| 1844, Jan. 12,  | As per warrant No. 6706,                        | 44,017 76    |
| 1844, Sept. 10, | As per warrant No. 7914,                        | 100 00       |
| 1846, March 6,  | As per warrant No. 793, (new series,) 90,537 92 |              |
| 1847, Jan. 23,  | As per warrant No. 1370,                        | 90,464 85    |
| 1848, Feb. 22,  | As per warrant No. 2692,                        | 14,165 45    |
|                 |                                                 | \$304,157 77 |

In the amount redeemed and cancelled as above stated, there is included, of the amount issued by the commissioners of the Wabash and Erie canal, as ascertained by a hasty examination of the cancellations on the register furnished by the commissioners, the sum of \$84,219 82. In giving the warrants for scrip cancelled, no distinction was made between the issues made by the Auditor and Treasurer, and those made by the Canal Commissioners.

3d. The amount of scrip paid into the Treasury by the Trustees of the Wabash and Erie canal, as per receipt No. 5191, dated January 22, 1848, is \$42,707 06, the interest on which was \$7,071, for which also they have a receipt, dated August 18, 1848.

The substance of the foregoing statements (except the last) will be found on pages 68 and 67 of my last annual report, accompanied by an explanation of the manner of issuing, &c., to which I respectfully refer the House of Representatives. The amount paid in by the Trustees is not deducted in that statement, because no warrant has been issued for it. So soon as it shall be examined by the committee of ways and means, and destroyed, the Treasurer will receive a warrant, which will bring it upon the books as cancelled scrip.

Respectfully submitted,  
DOUGLASS MAGUIRE,  
*Auditor of State.*

On motion by Mr. Brady,

The communication was laid on the table, and 200 copies ordered to be printed.

Leave of absence was granted to Messrs. Rousseau, Johnston of Putnam, Allen, Jones of Bartholomew, Cox, and Jackman.

On motion by Mr. Kelso,

Leave of absence was granted to all the members who might desire it.

Mr. Cravens presented the petition of sundry citizens of Washington county, upon the subject of free schools.

Which,

On motion by Mr. Cravens,

Was referred to the committee on education.

On motion by Mr. Parker of Allen,

The order of business was suspended.

Mr. Parker of Allen presented the report of Henry Rudisill, commissioner to examine the damages sustained by the heirs of George W. Brackenridge.

Which,

On motion,

Was referred to the committee on claims.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

No. 13. An act to change the name of Mary Maranda Landrum.

No. 32. An act to amend an act entitled "an act to incorporate the Centreville and Covington Turnpike company," approved Feb. 12, 1848.

No. 46. An act to amend an act providing for the appointment of supervisors of highways in the counties of Decatur, Jefferson, and Spencer, approved Dec. 26, 1844.

No. 55. An act to amend an act to authorize a company to construct the Aurora and Laughery Turnpike, approved Feb. 15, 1848.

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

#### REPORTS FROM COMMITTEES.

Mr. Harlan, chairman of the committee of ways and means, made the following report :

MR. SPEAKER :

The committee to whom was referred, bill of the House No. 15,

entitled, "an act regulating the duties of the Treasurer of Posey county," have had the same under consideration, and forasmuch as the Board of Commissioners of said county have power to grant the relief intended by said bill, they have directed me to report the same back to the House and recommend its indefinite postponement, and they ask to be discharged from the further consideration of the same.

Which report was concurred in.

Mr. Harlan, chairman of the committee of ways and means, made the following report :

MR. SPEAKER :

The committee to whom was referred, bill of the House No. 67, entitled, "an act for the relief of Aaron Wheeler of Laporte county," have had the same under consideration, made one amendment thereto, and with the adoption of said amendment, recommend the passage of the bill.

Amend by inserting the words :

"Up to the time the said Aaron Wheeler purchased the same of the State," after the figures "1841," in the first section of the bill.

Which amendment was concurred in,

The bill as amended was then ordered to be engrossed.

Mr. Winstandley, from the committee on ways and means, made the following report :

MR. SPEAKER :

The committee of ways and means to whom was referred, a resolution of the House, referring so much of the Governor's message as relates to a loan of money for the payment of interest on the State debt, have had the same under consideration, and inasmuch as legislative action has been had on the subject matter thereof, ask to be discharged from the further consideration of said resolution.

Which report was concurred in.

Mr. Parker of Allen, from the committee on ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means to whom was referred, bill of the House No. 30, entitled, an act to provide for the election of township Assessor and Collector, in Pike county, have had the same under consideration, and directed me to report the same back to the

House and recommend its indefinite postponement, and your committee would ask to be discharged, &c.

Which report the House refused to concur in.

On motion,

The bill was recommitted to a select committee, consisting of Messrs. Withers, Kelso, and Line.

Mr. Kelso moved to take from the table the report of the committee on the judiciary, on the subject of authorizing suits to be brought against the State.

Which motion did not prevail.

Mr. Johnson of Dearborn, chairman of the committee on agriculture, made the following report :

MR. SPEAKER :

The committee on agriculture to whom was referred, the petition of sundry citizens of Randolph county, praying the passage of a law to improve the breed of horses, have according to order had the same under consideration, and directed me to report that it is inexpedient (in their opinion) to pass such a law as set forth in the prayer of the said petitioners, therefore ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Edmonston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred, bill of the House (No. 61,) entitled, an act to incorporate the Evansville and Terre Haute Rail Road Company, have maturely considered the subject, and a majority of the committee have directed me to report that the road contemplated in said act of incorporation connects two of the most important points on the canal, which has been transferred by the State to its creditors and yet remains unfinished, consequently the road will run parallel to the line of the canal, a distance of over one hundred miles.

In view of these facts, your committee are of opinion that to charter a company whose business would come so directly in conflict with the business and interest of said canal, would be a violation of that good faith which our creditors have a right to expect at our hand.

Impressed, therefore, with a sense of duty as well to the interest of our creditors, as the interest of the State, your committee would recommend the indefinite postponement of the bill.

On motion by Mr. Edmonston,  
The report was laid on the table.

On motion by Mr. Frazer,  
The House adjourned.

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*Two o'clock, P. M.*

The House met.

On motion,  
The House adjourned, to meet on Tuesday morning, at 9 o'clock,  
A. M.



TUESDAY MORNING, Dec. 26th, 1848.

The House met.

PETITIONS PRESENTED.

By Mr. Dobson,  
The petition of John Smith and others, praying for the passage of  
a bill to legalize a sale of a certain tract of land ;  
Which,

On motion by Mr. Dobson,  
Was referred to the committee on the judiciary.

By Mr. Rice,

The petition of John L. Jenkins, for a divorce, accompanied by a  
petition from Jonathan R. Brown and 167 citizens of Crawford  
county, on the same subject.

Mr. Rice moved to refer the petition to a select committee.

Mr. Kelso moved to lay the petition on the table ;  
Which motion did not prevail.

The question on referring the petition to a select committee, was  
decided in the affirmative.

The Speaker appointed Messrs. Rice, Gillum, and Wilson, said committee.

By Mr. Bundy,

The petition of sundry citizens of Dudley township in Henry county, praying that two school districts in said townships may be united into one;

Which,

On motion by Mr. Bundy,

Was referred to the committee on education.

By Mr. Kelso,

The petition of Henry Lang and 348 others, relative to the county line between Dearborn and Ohio counties;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Kelso, Lozier, Johnston, of Dearborn, Dobson, and Parker, of Allen.

By Mr. Graham,

The petition of William Rust, of Spencer county;

Which,

On motion by Mr. Graham,

Was referred to the committee on claims.

By Mr. Donnohue,

The petition of citizens of Putnam county, on the subject of abolishing the offices of the County Auditor, County Treasurer, and transferring their respective duties to the Clerk of the circuit court and Sheriff, in Putnam county, and reducing the fees of all officers in general, and particularly the pay of members of the Legislature.

Which,

On motion,

Was referred to a select committee consisting of Messrs. Donnohue, Johnston, of Putnam, Duvall, Bundy, and Rifner.

By Mr. Ross, of Wabash,

The petition for a Plank Road from Lagro via America and Marion to Jonesborough, in Grant county;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Ross, of Wabash, Harlan, and Jones, of Huntington.

By Mr. Ross, of Wabash,

The petition for a Plank Road from Lagro, in Wabash county, via North Manchester, to Warsaw, in Kosciusko county;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Ross, of Wabash, Frazer, and Wood.

By Mr. Harlan,

The petition of James Brownlee and 90 others, praying for the location of a State road in the counties of Grant and Wabash;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Harlan, Ross, of Wabash, and Decker.

By Mr. Johnston, of Putnam,

The petition of citizens of Putnam county, praying that said county may be exempted from all laws that may be enacted imposing taxes for the support of free schools;

Which,

On motion by Mr. Johnston, of Putnam,

Was referred to the committee on education.

By Mr. Kelso,

The petition of Thomas Dodds and 654 others, praying for the removal of the county seat of Switzerland county, and also the remonstrance of H. C. Parker and 700 others;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Kelso, Ryan, and Shaw.

#### REPORTS FROM COMMITTEES.

Mr. Hunt, chairman of the committee on benevolent and scientific institutions, made the following report:

MR. SPEAKER:

The committee on benevolent and scientific institutions, to whom was referred a petition of sundry citizens of Clarke county, praying for the repeal of all laws granting license to sell intoxicating beverages, (except for mechanical and medicinal purposes,) have had that subject under consideration, and directed me to report that, in their opinion, the object of the petitioners is more fully accomplished by the laws now in force, than it could be by the repeal of all laws on that subject. The committee therefore, believe that further legislation on that subject is unnecessary, and ask to be discharged from its further consideration.

Which report was concurred in.

Mr. Meredith, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of Rossiter Gray and others, of Dalton township, Wayne county, Indiana, relative to the retailing spirituous liquors in said township, have had

the same under consideration, and agreed to report a bill and recommend its passage, and the committee ask to be discharged from the further consideration of the subject.

No. 155. A bill to prevent the sale of spirituous liquors in Dalton township, Wayne county, Indiana;

Which was read a first time and passed to a second reading.

Mr. Dowling, from a select committee, made the following report:

MR. SPEAKER:

The committee appointed by this House, to act with a similar committee on the part of the Senate, in counting and examining the State bonds and interest coupons, received and cancelled by James Collins, jr. Esq., Agent of State, since his incumbency, have given that subject early attention, and now report the result of their examination:

It is proper to remark here, that when the committee of this House reported at the last session of the General Assembly, a small portion of the bonds received and cancelled by Mr. Bright, (the former Agent,) were not at Indianapolis, from the fact that a few surrenders were made after that gentleman had left New York City for this capital, and could not be conveyed in time for the action of the committee. These bonds were as follows :

Ten surrendered by Charles Stetson, five surrendered by Edwin Crosswell, one bond surrendered by Ambrose C. Kingland, and one hundred and fifty-five bonds surrendered by August Belmont, (registered and exchanged in the name of N. M. Rothschild and son,) which, as the committee then remarked, were in the Agency office, New York. These bonds (one hundred and seventy-one in number,) were submitted to the inspection of the undersigned, on the 19th inst., by Mr. Collins, as the successor of Mr. Bright; and on counting them, find that they correspond, in every particular, with the report made by Mr. Bright, to the General Assembly.

The committee deem it proper to refer to the bonds thus especially, that Mr. Bright, as a retired officer of the State, may have just credit for the accuracy which distinguished his public conduct.

The committee have examined the packages of State bonds enumerated below, and find them to correspond with the report of Mr. Collins, the interest allowed, in each case, corresponding with the coupons due and unpaid, viz.:

|                           |   |   |   |   |   |   |    |        |
|---------------------------|---|---|---|---|---|---|----|--------|
| R. Lafonta,               | - | - | - | - | - | - | 16 | Bonds. |
| Jas. R. Shields,          | - | - | - | - | - | - | 5  | Bonds. |
| Wm. & Jas. A. Gasgued,    | - | - | - | - | - | - | 8  | Bonds. |
| W. S. Halibird,           | - | - | - | - | - | - | 1  | Bond.  |
| Otley, Post, and Whiting, | - | - | - | - | - | - | 20 | Bonds. |
| Robert Sanders,           | - | - | - | - | - | - | 10 | Bonds. |
| Edward Bridgman,          | - | - | - | - | - | - | 6  | Bonds. |

|                                             |   |   |   |   |   |    |        |
|---------------------------------------------|---|---|---|---|---|----|--------|
| Hugh D. Raincock,                           | - | - | - | - | - | 5  | Bonds. |
| Adelaide Maria Gabriella Gibbs              | - | - | - | - | - | 7  | Bonds. |
| Jos. Holden,                                | - | - | - | - | - | 3  | Bonds. |
| Jno. W. Treadwell,                          | - | - | - | - | - | 4  | Bonds. |
| H. W. Fitzhugh,                             | - | - | - | - | - | 3  | Bonds. |
| Davis Brooks & Co.,                         | - | - | - | - | - | 5  | Bonds. |
| Stephens Hannaford,                         | - | - | - | - | - | 10 | Bonds. |
| Wm. & Jas. Currie,                          | - | - | - | - | - | 2  | Bonds. |
| Wetmore & Cryder,                           | - | - | - | - | - | 12 | Bonds. |
| Quintin Deck,                               | - | - | - | - | - | 1  | Bonds. |
| Geo. K. Sistare,                            | - | - | - | - | - | 1  | Bonds. |
| Wm. H. King,                                | - | - | - | - | - | 1  | Bond.  |
| Margaret Hart,                              | - | - | - | - | - | 5  | Bonds. |
| James Halford,                              | - | - | - | - | - | 9  | Bonds. |
| Thos. Potts,                                | - | - | - | - | - | 5  | Bonds. |
| Gorman & Mart,                              | - | - | - | - | - | 1  | Bond.  |
| Sarah Ann Higgins,                          | - | - | - | - | - | 1  | Bond.  |
| H. Powers,                                  | - | - | - | - | - | 1  | Bond.  |
| Arthur Baley,                               | - | - | - | - | - | 2  | Bonds. |
| Geo. W. Norton,                             | - | - | - | - | - | 3  | Bonds. |
| Geo. R. Sistare,                            | - | - | - | - | - | 5  | Bonds. |
| Olivia M. North,                            | - | - | - | - | - | 6  | Bonds. |
| Jno. E. Fox,                                | - | - | - | - | - | 2  | Bonds. |
| Wood, Grant, & Co.,                         | - | - | - | - | - | 1  | Bond.  |
| Thos. C. Crawford,                          | - | - | - | - | - | 2  | Bonds. |
| T. M. Martyn,                               | - | - | - | - | - | 6  | Bonds. |
| Uriel Crocher,                              | - | - | - | - | - | 6  | Bonds. |
| Sealing Brewster,                           | - | - | - | - | - | 4  | Bonds. |
| M. R. Eames,                                | - | - | - | - | - | 2  | Bonds. |
| Irham Henderson,                            | - | - | - | - | - | 4  | Bonds. |
| J. S. Suare, (in trust for Zaluetta & Co.,) | - | - | - | - | - | 5  | Bonds. |
| Michael G. Allen & Geo. Grant,              | - | - | - | - | - | 2  | Bonds. |
| Quintin Dick,                               | - | - | - | - | - | 1  | Bond.  |
| J. A. Rogers, (Trustee,) Sylvester Hall,    | - | - | - | - | - | 2  | Bonds. |
|                                             | - | - | - | - | - | 2  | Bonds. |

Besides the above enumerated bonds submitted for examination numbering one hundred and ninety-three (193), the following were also produced, viz :

|               |   |   |   |   |   |    |        |
|---------------|---|---|---|---|---|----|--------|
| Tho's Hudson, | - | - | - | - | - | 31 | bonds. |
| S. C. Dortie, | - | - | - | - | - | 2  | bonds. |

In the package of Mr. Hudson, all the bonds were found to be properly exchanged, except internal improvement *interest* bond No. 35, issued and dated March, 1841, attached to which were but *three* coupons, viz : July 1842, January 1843, and July 1843, and the committee noticed, by referring to the non-subscribing register, that the Agent of State has issued certificates for \$300 accrued interest

instead of \$75. Showing an apparent error of \$225. Likewise, in the package surrendered by S. C. Dortie, bond No. 3,807 was entitled (from the number of coupons attached) to but \$300 of accrued interest, while the register referred to would indicate that certificates were issued for \$325, making an apparent error, in this case, of \$25.

These errors, though apparent from the books and bonds, are doubtless susceptible of correction, and the committee express the opinion that the Agent of State will lose no time in doing so at the earliest moment when he shall be apprised of the mistake.

In all things else appertaining to the business of the agency, so far as it has come under the review of the committee, there appears regularity, promptitude and accuracy, a fact as creditable to Mr. Collins as it must be gratifying to this General Assembly.

All of which is respectfully submitted.

On motion by Mr. Brady,

The report was laid on the table.

Mr. Rippey, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of the county of Elkhart, praying a repeal of so much of the road law as authorizes supervisors to levy an extra road tax in said county, have had that subject under consideration, and have directed me to report the following bill and recommend its passage.

No. 156. A bill to repeal a certain law therein named, so far as relates to the county of Elkhart;

Which was read a first time and passed to a second reading.

#### BILLS, &C. INTRODUCED.

Mr. Blakemore introduced,

No. 157. A bill relative to the Seminary fund in Cass county.

Mr. Parker of Allen introduced,

No. 158. A bill to locate a State road in the counties of Allen and DeKalb;

Which was each read a first time and passed to a second reading.

Mr. Dobson introduced,

No. 159. A bill to extend the Lawrenceburg and Rushville railroad to the coal region near Point Commerce in Green county via. Martinsville, Gasport and Spencer;

Which was read a first time and passed to a second reading.

On motion by Mr. Dobson,

The rules were suspended, and the bill read a second time, and ordered to be engrossed

Mr. Parker of Allen moved to suspend the rules, and read the bill a third time;

Which motion did not prevail.

Mr. Drake introduced,

No. 160. A bill to change a part of the Indianapolis and Pendleton State road.

Mr. Johnson of Dearborn introduced,

No. 161. A bill providing for the election of township assessors in Dearborn county.

Mr. Cox introduced,

No. 162. A bill to amend an act entitled an act to incorporate the Rushville and Lawrenceburgh Railroad Company;

Which were each read a first time and passed to a second reading.

On motion by Mr. Wolf,

The following named bill of the House was taken up:

No. 61. A bill to incorporate the Evansville and Terre Haute Railroad Company;

The question being on concurring in the report of the committee on corporations, which recommended the indefinite postponement of the bill.

The ayes and noes being demanded by Messrs. Ross of Miami and Goodwin,

*Those who voted in the affirmative are,*

Messrs. Blakemore, Bryant, Bundy, Casselberry, Chambers, Cravens, Dawson, Edmonston, Goodwin, James, Kelley, Kelso, Meredith, Mills, Nicholson, Ross of Miami, Shaw, Spencer, Thompson and Withers—20.

*Those who voted in the negative are,*

Messrs. Alexander, Brady, Caldwell, Campbell, Commons, Cotton, Cox, Decker, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Dowling, Doyle, Drake, Duvall, Edwards, Frazer, Ford, Jessie, Gillum, Hankins, Hendricks, Hicks, Hill, Howell, Huckleberry, Huddleston, Hunt, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Line, Lozier, Maddox, Meacham, Miller, Morgan, Orr, Osborn, Parker of Allen, Pierce, Place, Rice, Risner, Riley, Rippey, Ross of Wabash, Smith, Snook, Starbuck, Tuttle, Wade, Webster, Wilson, Winstandley, Wolfe, Wood, Young and Mr. Speaker—31.

So the House refused to concur in the report of the committee.

On motion by Mr. Wolf,

The bill was referred to the committee on the judiciary.

Mr. Edwards moved to reconsider the vote on engrossing bill of the House No. 159;

Which motion prevailed.

~ No. 159. A bill to extend the Lawrenceburg and Rushville railroad to the coal region near Point Commerce in Green county via. Martinsville, Gosport and Spencer.

On motion by Mr. Kelso,

The bill was laid on the table.

ORDERS OF THE DAY.

A message from the Senate by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit :

No. 90. An act to increase the pay of the auditor of Hamilton county ;

In which the concurrence of the House is respectfully requested.

Which bill was read a first time and passed to a second reading.

A message from the Senate by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed joint resolution of the House with one amendment, to-wit :

No. 17. A joint resolution in relation to the existing Post Office Laws ;

In which amendment the concurrence of the House is respectfully requested.

Which amendment was concurred in by the House.

A message from the Senate by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed joint resolution and bill thereof, to-wit :

No. 96. A joint resolution to authorize the purchase of the picture of the Tippecanoe battle ground ;

No. 111. An act to incorporate the Fort Wayne Medical Society ; In which the concurrence of the House is respectfully requested.

Which were each read a first time and passed to a second reading.

HOUSE BILLS ON SECOND READING.

No. 97. A bill to amend sec. 336, chapter 40, of the Revised Code of 1843,

Was read a second time, and ordered to be engrossed.

No. 98. A bill to authorize Zebina Warriner, of Decatur county, to file a bill in chancery.

Mr. Morgan moved to amend by inserting in the proper place, "three weeks from the first publication;"

Which amendment was adopted.

The bill as amended was then ordered to be engrossed.

No. 99. A bill to reduce the fees and salaries of county officers in the county of Blackford.

Mr. Kelso moved to amend the bill by inserting after the repealing clause, "so far as relates to the county of Blackford."

Which amendment was adopted.

The bill as amended was then ordered to be engrossed.

No. 100. A bill for the relief of Mathew McPhitridge, of the county of Monroe,

Was read a second time and ordered to be engrossed.

No. 101. A bill to change part of a State road in Vermillion county,

Was read a second time, and

On motion by Mr. Gessie,

Laid on the table.

No. 102. A bill regulating the time of holding courts in the fifth judicial circuit,

Was read a second time, and

On motion,

Referred to a select committee consisting of Messrs. Riley, Dougherty of Boone, and Brady.

No. 103. A bill to amend article 2, chapter 35, of the Revised Statutes of 1843,

Was read a second time, and ordered to be engrossed.

No. 104. A bill amendatory of an act entitled "an act to incorporating the Michigan Road Company," approved January 13th, 1845, and an act entitled "an act to amend an act entitled an act to incorporate the Michigan Road Company," approved January 13th, 1845, and approved January 19th, 1846.

Was read a second time and ordered to be engrossed.

No. 105. A bill for the relief of Magdaline Pfalzgraf,

Was read a second time and ordered to be engrossed.

No. 106. A bill incorporating the Moscow and Blooming Grove Turnpike Company in the counties of Franklin and Rush,

Was read a second time, and

On motion by Mr. Brady,

Referred to the committee on corporations.

No. 107. A preamble and joint resolution relative to the reduc-

tion of the price of public land in the Great Miami National Reserve,  
Was read a second time and ordered to be engrossed.

No. 108. A bill relative to the Board of Commissioners in the county of Boone,

Was read a second time and ordered to be engrossed.

No. 109. A bill to extend the jurisdiction of justices of the peace in the county of Greene,

Was read a second time, and

On motion by Mr. Rousseau,

Referred to the committee on the judiciary.

No. 110. A bill incorporating the Perrysville and Danville, and Perrysville and Georgetown plank road companies,

Was read a second time, and

On motion by Mr. Brady,

Referred to the committee on corporations.

No. 111. A bill to repeal the latter part of the 6th section of an act in relation to the Northern Division of the Central canal, approved January 13, 1846,

Was read a second time, and

On motion by Mr. Brady,

Referred to the committee on canals and internal improvements.

No. 112. A bill to amend an act entitled "An act regulating the mode of doing township business in the county of Elkhart," approved January 13, 1845,

Was read a second time and ordered to be engrossed.

No. 113. A bill in relation to the real and personal estate of John Fishli, late of Jackson county, deceased.

Was read a second time and referred to a select committee, consisting of Messrs. Ford, Winstandley, Bryant, Smith and Dobson.

No. 114. A bill to compensate the Adjutant General for organizing the 4th and 5th Regiments of Indiana Volunteers in 1847;

Was read a second time, and,

On motion by Mr. Kelso,

Referred to the committee on claims.

No. 115. A bill requiring commissioners appointed to sell real estate to give bond and take an oath;

Was read a second time, and,

On motion by Mr. Dougherty, of Morgan,

Referred to the committee on the judiciary.

No. 116. A bill to change the mode of doing county business in the county of Warrick, from justices of the peace to commissioners;

Was read a second time and ordered to be engrossed.

No. 117. A bill to reduce the number of grand jurors in the county of Greene, and for other purposes;

Was read a second time, and,

On motion by Mr. Drake,

Referred to the committee on the judiciary.

No. 118. A bill in relation to the duties of Auditor and Agent of State;

Was read a second time, and ordered to be engrossed.

No. 119. A bill to legalize the election of a Prosecuting Attorney in the county of Davies;

Was read a second time, and ordered to be engrossed.

No. 120. A bill regulating the salaries of certain officers therein named;

Was read a second time, and,

On motion by Mr. Line,

Referred to the committee on ways and means.

No. 121. A bill authorizing the probate court in Bartholomew county to sit two weeks at its February term;

Was read a second time, and ordered to be engrossed.

No. 122. A bill extending the time of working roads and highways in the county of Clay;

Was read a second time, and ordered to be engrossed.

No. 123. A bill to change the name of the town of Fleenerburg, in the county of Monroe, to that of Unionville, and for other purposes;

Was read a second time, and ordered to be engrossed.

No. 124. A bill to incorporate the Covington Drawbridge company;

Was read a second time, and,

On motion by Mr. Morgan,

Referred to the committee on corporations.

No. 125. A bill amending sections 40 and 42, chapter 28, Revised Statutes of 1843;

Was read a second time, and,

On motion by Mr. Morgan,

Referred to the committee on the judiciary.

No. 126. A bill relative to the collection of taxes in Jackson county;

Was read a second time.

Mr. Line moved to amend the bill by inserting the county of "Franklin;"

Which amendment was adopted.

Mr. Morgan moved to amend the bill by inserting the county of "Decatur;"

Which amendment was adopted.

Mr. Goodwin moved to amend the bill by inserting the counties of "Daviess and Martin;"

Which amendment was adopted.

Mr. Withers moved to amend the bill by inserting the county of "Pike;"

Which amendment was adopted.

Mr. Wood moved to amend the bill by inserting the county of "Randolph;"

Which amendment was adopted.

Mr. Webster moved to amend the bill by inserting the counties of "Noble and Lagrange;"

Which amendment was adopted.

Mr. Kelso moved to refer the bill to a select committee with instructions to inquire into the expediency of making the provisions of the bill general;

Which motion prevailed.

The Speaker appointed Messrs. Ford, Kelso, and Line said committee.

No. 127. A bill to repeal an act entitled an act providing for the opening and repairing public roads and highways in the county of Monroe, approved February 3, 1841, and for other purposes;

Was read a second time, and,

On motion by Mr. Morgan,

Laid on the table.

No. 128. A bill creating the Marion court of common pleas;

Was read a second time, and,

On motion by Mr. Kelso,

Referred to the committee on the judiciary.

Mr. Dowling moved to instruct the committee to strike out all that portion of the bill relating to "docket fees;"

Which instructions were adopted.

On motion by Mr. Meredith,

The House adjourned.

*Two o'clock, P. M.*

The House met.

#### ORDERS OF THE DAY.

##### *House Bills on second reading.*

No. 129. A bill to amend an act entitled "an act to amend article 5 of chapter 45 of the Revised Code of 1843," approved February 16, 1848;

Was read a second time, and,

On motion by Mr. Wolfe,

Referred to the committee on the judiciary.

No. 130. A bill to extend the provisions of an act therein named;

Was read a second time, and ordered to be engrossed.

No. 131. A bill to amend the practice in chancery;

Was read a second time, and,

On motion by Mr. Ross, of Miami,  
Referred to the committee on the judiciary.

No. 132. A bill regulating the fees of justices of the peace, mayors, and constables, and for other purposes ;

Was read a second time, and ordered to be engrossed.

No. 133. A bill to repeal an act entitled " An act to extend the jurisdiction of justices of the peace in the counties of Lake and Porter," approved February 14th, 1848 ;

Was read a second time, and ordered to be engrossed.

No. 134. A bill to repeal the latter part of the 16th section of the 10th chapter of the Revised Statutes of 1843, in reference to notices to non-residents ;

Was read a second time and referred to the committee on the judiciary.

No. 135. A bill to regulate the practice in the supreme court ;

Was read a second time, and,

On motion by Mr. Kelso,

Was laid on the table.

No. 136. A bill for the relief of H. K. Wright and Jacob Barcus ;

Was read a second time, and,

On motion by Mr. Maddox,

Referred to the committee on the judiciary.

No. 137. A bill for the relief of the sureties of executors, administrators, guardians, and commissioners appointed by the circuit or probate courts to sell real estate ;

Was read a second time, and,

On motion by Mr. Edmonston,

Referred to the committee on the judiciary.

No. 138. A bill to amend the 69th section of the 7th article of the Revised Statutes of 1843 ;

Was read a second time and ordered to be engrossed.

No. 139. A bill to provide for the election of township assessors in Elkhart county ;

Was read a second time, and,

On motion,

Referred to a select committee, consisting of,

Messrs. Pierce, Rippey, and Dougherty, of Morgan.

No. 140. A bill to amend the 1st article of the 40th section of the Revised Statutes of 1843, in reference to suits at law :

Was read a second time, and,

On motion by Mr. Frazer,

Referred to the committee on the judiciary.

No. 141. A bill regulating loans of the county seminary fund;

Was read a second time and ordered to be engrossed.

No. 142. A bill to pay the laborers employed on the northern division of the central canal ;

Was read a second time and ordered to be engrossed.

Mr. Brady moved to suspend the rules and read the bill a third time;

Which motion did not prevail.

No. 143. A bill to amend "an act for the government of the Indiana Hospital for the Insane," approved Feb. 15, 1848;

Was read a second time and ordered to a engrossed.

No. 144. A bill to repeal an act therein named, so far as the same relates to Owen county;

Was read a second time and ordered to be engrossed.

No. 145. A bill for the relief of Susannah Gibbens;

Was read a second time.

Mr. Frazer moved to indefinitely postpone the bill.

The ayes any nays being demanded by Messrs. Dobson and Line.

*Those who voted in the affirmative are:*

Messrs. Blakemore, Brady, Bryant, Casselberry, Cockrum, Commons, Cox, Dawson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Frazer, Gillum, Graham, Hankins, Huddleston, Hunt, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Kelso, Line, Meacham, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Parker of Allen, Rice, Ross of Miami, Snook, Starbuck, Tuttle, Vance, Vawter, Young, and Mr. Speaker—41.

*Those who voted in the negative are:*

Messrs. Alexander, Bundy, Caldwell, Chambers, Cotton, Cravens, Decker, Dobson, Dowling, Doyle, Drake, Duvall, Edmonston, Edwards, Ford, Gessie, Goodwin, Harlan, Hendricks, Hicks, Hill, Huckelberry, Hughes, Jones of Huntington, Kelly, Lozier, Meredith, Place, Rifner, Riley, Rippey, Ross of Wabash, Rousseau, Shaw, Smith, Spencer, Thompson, Wade, Webster, Wilson Windstädley, Withers, Wolfe, and Wood—44.

So the bill was not indefinitely postponed.

Mr. Kelso moved to refer the bill to the committee on the judiciary.

The ayes and noes being demanded by Messrs. Kelso and Morgan,

*Those who voted in the affirmative are,*

Messrs. Alexander, Bryant, Caldwell, Casselberry, Cravens, Dawson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Frazer, Gillum, Graham, Hankins, Hicks, Hill, Howell, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Julian, Kelso, Line, Meacham, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Parker of Allen, Rice, Ross, of Miami, Rousseau, Snook, Spencer, Starbuck, Vawter, Wolfe Young, and Mr. Speaker—41.

*Those who voted in the negative are,*

Messrs. Blakemore, Brady, Bundy, Chambers, Cockrum, Commons, Cotton, Decker, Dobson, Dowling, Doyle, Drake, Edmonston, Edwards, Ford, Gessie, Goodwin, Harlan, Hendricks, Huckleberry, Huddleston, Hughes, Hunt, Jones of Huntington, Kelley, Lozier, Meredith, Miller, Pierce, Place, Rifner, Riley, Rippey, Ross of Wabash, Shaw, Smith, Thompson, Tuttle, Vance, Wade, Webster, Wilson, Winstandley, Withers, and Wood—45.

So the motion to refer did not prevail.

Mr. Morgan moved to add the following section to the bill:

“Sec. —. That the bonds of matrimony now existing between Zebina Wariner, of Decatur county, and Eliza, his wife, are hereby dissolved ;”

Which amendment was not adopted.

The question then recurred on ordering the bill to be engrossed.

The ayes and noes being demanded by Messrs. Huddleston and Parker, of Allen,

*Those who voted in the affirmative are,*

Messrs. Alexander, Brady, Bundy, Caldwell, Chambers, Cockrum, Cotton, Cravens, Decker, Dobson, Dowling, Doyle, Drake, Duvall, Edmonston, Edwards, Ford, Goodwin, Harlan, Hendricks, Hill, Huckleberry, Hughes, Jones of Huntington, Kelley, Lozier, Meredith, Riley, Rippey, Ross of Wabash, Rousseau, Shaw, Smith, Snook, Thompson, Wade, Webster, Wilson, Winstandley, Withers, and Wood—41.

*Those who voted in the negative are,*

Messrs. Blakemore, Bryant, Casselberry, Commons, Cox, Dawson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Frazer, Gilhum, Graham, Hankins, Hicks, Howell, Huddleston, Hunt, Jackman, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Julian, Kelso, Line, Meacham, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Parker of Allen, Pierce, Place, Rice, Rifner, Ross of Miami, Spencer, Starbuck, Tuttle, Vance, Vawter, Wolfe Young and Mr. Speaker—47.

So the question on ordering the bill to be engrossed was decided in the negative.

No. 146. A bill to incorporate the Mt. Carmel and Harrison Turnpike Company;

Was read a second time, and

On motion by Mr. Ross of Miami,

Referred to the committee on corporations.

No. 147. A bill to amend an act entitled, an act to incorporate the Indiana Canal Company;

Was read a second time, and

On motion by Mr. Winstandley,

Referred to the committee on corporations.

No. 148. A bill to provide for the selection of petit jurors in the county of Jackson;

Was read a second time and ordered to be engrossed.

No. 149. A bill relative to the Commissioners of the Buffalo and Mississippi Rail Road Company;

Was read a second time and referred to a select committee, consisting of,

Messrs. Hunt, Rippey, Place, Pierce, and Miller.

No. 150. A bill to amend an act entitled, an act to lease the Indiana State Prison, and for other purposes, approved January 16th, 1846;

Was read a second time, and

On motion by Mr. Huckleberry,

Referred to the committee on the affairs of the State Prison.

No. 151. A bill to amend the 50th chapter of the Revised Statutes of 1843;

Was read a second time, and

On motion by Mr. Kelso,

Referred to the committee on the judiciary.

No. 152. A bill to amend an act entitled, "an act to incorporate the Mt. Vernon and New Harmony Rail Road Company," approved Feb. 16, 1848;

Was read a second time, and

On motion by Mr. Mills,

Referred to the committee on corporations.

No. 153. A bill to attach certain townships therein named to the county of Blackford;

Was read a second time, and

On motion by Mr. Decker,

Indefinitely postponed.

No. 154. A bill to change the mode of assessing State and county revenue in the counties of Daviess, Martin and Spencer;

Was read a second time,

Mr. Meredith moved to add the following section :

Sec. —. All laws and parts of laws contravening the provisions of this act are hereby repealed, so far as the counties of Daviess and Martin are concerned.

Which amendment was adopted.

Mr. Goodwin moved to strike out the county of "Spencer," Which motion prevailed.

The bill as amended was then ordered to be engrossed.

A message from the Senate by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to the engrossed bill of the Senate, entitled,

No. 46. An act fixing the time of holding the courts in the counties of Lake, Porter and Laporte.

A message from the Senate, by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment, to-wit :

No. 42. An act to authorize the Commissioners of Hamilton, Tipton and Miami counties to borrow money.

No. 54. An act to amend an act entitled, an act to incorporate the town of Newcastle in the county of Henry.

No. 85. An act in relation to bridges &c., in Fayette county.

#### BILLS OF THE SENATE ON THEIR SECOND READING.

No. 4. A bill to incorporate the Richmond and Newport Turnpike Company ;

Was read a second time and ordered to a third reading.

No. 6. A bill to exempt the county of Washington from the force and operation of the 61st section of the act entitled, "an act to provide for the continuance of the construction of all or any part of the public works of this State, by private companies, and for abolishing the Board of Internal Improvements, and the offices of Fund Commissioner and Chief Engineer," approved 28th of January, 1842.

Was read a second time, and

On motion by Mr. Morgan,

Referred to the committee on canals and internal improvements.

No. 8. A bill to incorporate the Richmond and Williamsburg Turnpike company ;

Was read a second time, and,

On motion by Mr. Edmonston,

Referred to the committee on corporations.

No. 13. A bill to authorize the election of township assessors in the county of Jay ;

Was read a second time, and,

On motion by Mr. Morgan,

Referred to a select committee on a bill of similar character, consisting of Messrs. Pierce, Rippey, and Dougherty of Morgan.

No. 16.<sup>1</sup> A bill to amend the act incorporating the Harrison, New Trenton, Rochester, and Brookville Turnpike company;

Was read a second time, and,

On motion by Mr. Line,

Referred to the committee on corporations.

No. 18. A bill to incorporate "The Laporte Iron Manufacturing Company;"

Was read a second time, and,

On motion by Mr. Edmonston,

Referred to the committee on corporations.

No. 19. A bill to amend "An act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, and to amend the same," approved February 14, 1848;

Was read a second time, and,

On motion by Mr. Starbuck,

Referred to the committee on corporations.

No. 21. A bill to authorize Patsey C. Paden to sell certain real estate which she inherited from her father;

Was read a second time, and ordered to a third reading.

No. 25. A bill to incorporate the Cross Plains and Laughery Turnpike company;

Was read a second time, and,

On motion by Mr. Dougherty of Boone,

Referred to the committee on corporations.

No. 29. A bill to give effect to the last will and testament of Jane Parker;

Was read a second time, and ordered to a third reading.

No. 30. A bill fixing the times of holding the several circuit courts in the 11th judicial circuit;

Was read a second time, and ordered to a third reading.

No. 31. A bill to amend an act entitled "An act regulating the practice of law in the Allen circuit court, and for other purposes," approved 15th January, 1844;

Was read a second time, and ordered to a third reading.

No. 35. A bill incorporating the Lafayette Plank Road company;

Was read a second time, and referred to the committee on corporations.

No. 39. A bill to amend and extend section 60 of chapter 38 of the Revised Laws of 1843, so far as Jefferson county is concerned;

Was read a second time; and,

On motion by Mr. Dunn,

Referred to the committee on the judiciary.

No. 40. A bill incorporating "The Dayton and Frankfort Plank Road Company;"

Was read a second time, and ordered to a third reading.

The Speaker laid before the House the following communication from His Excellency, the Governor:

*To the General Assembly of the State of Indiana :*

In transmitting to you this my resignation of the office of Governor of the State of Indiana, I beg to assure you, and through you the people of the State generally, of my fervent gratitude for the manifestations of their regard and confidence with which they have repeatedly honored me. In taking leave of my present position—a position which I have now held for five years continuously—I may be indulged in saying that, in the discharge of its duties through a period commencing in trial and in gloom—in doubt and in discouragement—in embarrassment and in difficulty—a period of variant plans and of diverse counsels—calling for a more than ordinary exercise of prudence and firmness, and involving a more than ordinary degree of responsibility, I am far, very far, from claiming for myself an exemption from error. I only desire to say that any such error, the result of inadvertence or imperfection of judgment, has not been at variance with a constant sense of duty to the public welfare, and a deep and heartfelt desire to promote the general happiness.

If individual interests have seemed, at times, to be disregarded—if sectional claims have been apparently unheeded—if even the claims of friendship have appeared to be overlooked, it has only been because I have thought that private obligations should not be discharged from public trusts, and that my paramount allegiance as an officer was due to the people who rightfully looked to me for protection of their interests—to the people of that State in which I have resided for a quarter of a century, and within whose bosom I expect to leave my remains.

I have steadily endeavored, therefore, with what success it becomes not me to say; stimulated as well by a sense of gratitude as by official duty, to advance by every honorable means in my power the great, the substantial, and the lasting interests of the people of Indiana, as the best return I could make to them for their friendship and confidence.

Differing occasionally on important questions of public policy, with those who shared my friendship and my respect, whether in the origination of important measures, or in the exercise of my constitutional power, of dissent from such as had received legislative approval, or whether in executive matters of an isolated or discretionary character, I have felt, unaffectedly and deeply felt, my great need of the liberality of the members of the General Assembly, and of my fellow citizens at large.

In this connection, permit me to return my respectful thanks to the honorable the members of the Legislature for the distinguished honor they have recently conferred upon me, and which occasions this resignation. In thus assigning me another theatre of action—in the councils of the nation—they have imposed upon me the task of a constant endeavor, to the best of my humble ability, to justify this signal mark of their confidence.

But while it will there be my duty to strive for the prosperity, the honor, and the perpetuity of our happy union, and to secure to Indiana a due share in its rights and advantages, let it never be forgotten that, apart from the safety and integrity of that union, our welfare must mainly depend upon the domestic administration of our own affairs—upon the wise management of our State government. And I beg to say in conclusion that, although removed from any immediate participation in its affairs, no exertions on my part will be spared, at any time, for the promotion of so desirable a result.

JAMES WHITCOMB.

*Indianapolis, December 26, 1848.*

On motion by Mr. Meredith,

*Ordered,* That the foregoing communication from His Excellency, the Governor, be placed upon the journal of the House.

On motion by Mr. Hughes,  
The House adjourned.

## WEDNESDAY MORNING, DEC. 27, 1848.

The House met.

### PETITIONS &c., PRESENTED.

By Mr. Dougherty of Morgan,

The petition of citizens of Morgan county, praying for the passage of an act vacating the town of Ventersville in said county;

Which,

On motion,

Was referred to a select committee consisting of, Messrs. Dougherty of Morgan, Dougherty of Boone, and Hill.

By Mr. Kelso,

The petition of John C. Holliday and others, praying the vacating of a certain road therein named;

Which,

On motion,

Was referred to a select committee consisting of, Messrs. Kelso, Shaw, and Vawter.

By Mr. Jackman,

The petition of Martha Maderwell ;  
Which,

On motion by Mr. Jackman,  
Was referred to the committee on claims.

Mr. Drake having obtained leave, presented the account of E. Browning, for furnishing volunteers in the Mexican war with board and lodging, in the month of June, 1846 ;

Which,  
On motion,  
Was referred to the committee on claims.

#### REPORTS FROM COMMITTEES.

Mr. Hicks, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education to whom was referred the petition of sundry citizens of Miami county, praying for the passage of an act to extend to purchasers of school lands in said county, the time of payment therefor, have had the same under consideration, as well as the resolution of the House directing said committee to inquire into the expediency of making the law general, and have directed me to report the following bill and recommend its passage.

No. 163. A bill to extend the time of payment to purchasers of school lands, and for other purposes ;

Which was read a first time and passed to a second reading.

Mr. Wolf, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred a petition of some 36 signers praying for a road from Crawfordsville in Montgomery county to Danville in Hendricks county ; and a remonstrance on the same subject, signed by about 75 citizens, have had the same under consideration and directed me to report the same back to the House and recommend that they be laid on the table, and ask to be discharged from the further consideration of the subject ;

Which report was concurred in.

Mr. Fisher, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to which was referred the petition of citi-

zens of La Grange and Elkhart counties, for the location of a State road, have had the same under consideration and directed me to report the following bill, and recommend its passage.

No. 164. A bill to locate a State road in the counties of La-Grange and Elkhart;

Which was read a first time and passed to a second reading.

Mr. Dowling, chairman of the committee on canals and internal improvements, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements to which was referred bill of the Senate No. 6, entitled, "an act to exempt the county of Washington from the force and operation of the 61st section of the act entitled, 'an act to provide for the continuance of the construction of all or any part of the public works of this State, &c., approved January 28, 1848," have had the same under consideration, and have directed me to report the same back to the House and respectfully recommend its passage:

No. 6. A bill to exempt the county of Washington from the force and operation of the 61st section of the act entitled, "an act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the board of internal improvements, and the offices of fund commissioner and chief engineer, approved 28th January, 1842;"

Which was read a second time and ordered to a third reading.

Mr. Johnson of Dearborn, chairman of the committee on agriculture, made the following report:

MR. SPEAKER:

The committee on agriculture to whom was referred the petition of sundry citizens of Greene county, on the subject of poisoning fish with India berries, have had the same under consideration and directed me to report the following bill and recommend its passage, and the committee would ask to be discharged from the further consideration of the subject.

No. 165. A bill to prevent the poisoning of fish in the county of Greene;

Which was read a first time, and passed to a second reading.

Mr. Edmonston, chairman of the committee on corporations, made the following report:

MR. SPEAKER:

The committee on corporations to which was referred Senate bill No. 35, incorporating the Lafayette plank road company, have had

the same under consideration and have directed me to report the same to the House with the following amendment, and recommend its passage :

The directors of said company shall be liable in their individual property, for any debts they may contract over and above the solvent stock of the company.

The Legislature reserves the right to alter, amend, or repeal this act, whenever its provisions shall have been violated.

The question being on concurring in the amendment reported by the committee on corporations, was decided in the negative.

On motion,

The bill was referred to a select committee consisting of, Messrs. Johnston of Putnam, Snook, and Kelso.

Mr. Kelso moved to reconsider the vote on referring the bill to a select committee ;

Which motion prevailed.

The question then recurring on referring the bill, was decided in the negative.

Mr. Webster moved to reconsider the vote on concurring in the amendment reported by the committee on corporations ;

Which motion prevailed.

The question then being on concurring in the amendment reported by the committee on corporations, was decided in the affirmative.

Mr. Johnston, of Putnam, offered the following amendment :

Add the following section immediately after the 9th section of the bill :

1st. " Sec. 10. That it shall be the duty of the said Board of Directors to open books for the subscription of stock to said company at Greencastle, in Putnam county, within one year from the passage of this act ; and if the citizens of Putnam county subscribe to the said company the sum of twenty-five thousand dollars, good and solvent stock in the manner herein before provided, and the inhabitants of the county of Montgomery, South of Crawfordsville, subscribe the further sum of twenty thousand dollars, good and solvent stock in the manner aforesaid, within two years from and after the passage of this act, then it may be lawful, and shall be the duty of the said directors, or their successors in office, to locate and finish the said road from Elston's mill, in Montgomery county (or from Crawfordsville as the case may be) to Greencastle, in Putnam county, in the same manner and under the same restrictions and liabilities as the other part of said road is required to be completed by this act. And the said directors may run the said road upon or along any State or County road in said counties of Montgomery and Putnam, by first obtaining the consent of the Boards of Commissioners of said counties : *Provided*, That the said directors shall not be compelled to complete the part of said road contemplated by this section, until the 1st day of December, 1854.

2d. Change the present section "10," to section "11," and so on through the bill.

3d. Amend the second section of the bill by striking out in the second line the words "one hundred," and inserting in lieu thereof, the word "fifty."

4th. Add to section five the proviso : "*Provided*, That whenever the stock shall have been subscribed to said company, as provided for in the 10th section of this act, then it shall be lawful for the stockholders of said company to elect four additional directors, two of whom shall reside in Putnam county, and the other two in Montgomery county."

Mr. Nicholson moved to amend the amendment, by striking out section 16, and insert the following as a substitute :

Sec. 16. "Said company shall cause said road to be opened, and shall construct a plank way upon said road not less than sixteen feet wide, on that portion of said road between Crawfordsville and Lafayette, and said company, should they think proper, may construct a single or double plank track on the portion between Lafayette and Dayton."

Further, to amend by striking out the following part of section 19 :

"Whenever said company shall, between Crawfordsville, or the point of termination near Crawfordsville, and Lafayette, or between Lafayette and Dayton, have completed a double plank track or way over that portion of the road upon which a plank way be constructed then on either of said portions of said road upon which said double plank track or way may be completed as aforesaid, said company may, and it shall be lawful for them to charge one-fifth in addition to the tolls above specified."

Which amendment to the amendment was adopted.

The question then recurring on the amendment of Mr. Johnston, of Putnam, as amended, was decided in the affirmative.

The bill as amended, was then ordered to a third reading.

Mr. Ford, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House, No. 113, have had the same under consideration, and have directed me to report it back and recommend its passage :

No. 113. A bill in relation to the real and personal estate of John Fishli, late of Jackson county, deceased ;

Which was read a second time, and ordered to be engrossed.

Mr. Ross, of Wabash, from a select committee, made the following report :

MR. SPEAKER.

The select committee to whom was referred the petition of Daniel M. Cox and others, of the county of Wabash, praying for a State road from Wabash, in Wabash county, *via* of Bluffton, in Wells county, to Recovery, in the State of Ohio, have had the same under consideration, and directed me to report the following bill, and recommend its passage, viz:

No. 166. A bill to locate a State road from Wabash, in Wabash county, *via* Bluffton, in Wells county, to Fort Recovery, in Ohio;

Which was read a first time, and passed to a second reading.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled with the engrossed bills, and find them correctly enrolled, to-wit:

No. 17. A joint resolution in relation to the existing Post Office law;

No. 28. An act to amend an act entitled "an act relative to high waters in Jackson county," approved February 16th, 1848;

No. 35. An act authorizing Justices of the Peace in Harrison county, to perform the duties of Coroner, in certain cases;

No. 63. An act for the relief of John McCullough, of Cass county;

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ford, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred bill of the House, No. 126, with instructions to make the bill general, have done so, and report the same to the House, and recommend its passage;

No. 126. A bill relative to the collection of taxes in Jackson county;

On motion by Mr. Kelso,

The bill was recommitted to the same select committee

#### RESOLUTIONS.

Mr. Blakemore offered the following resolution:

*Resolved*, That the acting Governor be requested to communicate to this House, the amount of money refunded to the State of Indiana, by the Secretary of War, under a resolution of Congress, approved, March 3, 1847, entitled "A resolution to refund the money to the States, which have supplied volunteers, and furnished them transportation, during the present war, before being mustered and received into the service of the United States, and if any has been received, whether it has been repaid to the General Government; and that he also communicate to this House the amount of money received by this State, arising from deductions from the pay of volunteers belonging to the first, second, and third regiments of Indiana volunteers, and what disposition was made of the same.

Mr. Edmonston moved to strike out the word "acting," in the first line;

Which motion prevailed.

Mr. Brady moved to strike out "Governor," and insert "Treasurer of State;"

Which motion did not prevail.

Resolution was adopted.

Mr. Wood offered the following preamble and resolutions:

Whereas, About the year 1836, Miss Hoosier Indiana was joined in the bands of matrimony to one Mr. Internal Improvement: And Whereas, The said husband becoming very extravagant and prodigal in his domestic affairs: And Whereas, Through and by the prodigality of the said husband the wife and children have suffered greatly in loss of property and credit: And Whereas, This General Assembly have the right, in the language of Sacred Writ—"Loose her and let her go:" Therefore,

*Resolved*, That the bands of matrimony heretofore existing between the said Hoosier Indiana and her husband Internal Improvement be, and the same are hereby, dissolved.

*Resolved further*, That so much of the property known as the Central Canal, shall be donated to the inhabitants of Centre and Washington townships, in Marion county, to them and their heirs forever. The residue of said property belonging to said system to be sold by the lawful attorney, and the proceeds of such sale or sales to be applied to the education of the lawful heirs.

Which was not adopted.

On motion by Mr. Huckleberry,

*Resolved*, That the State Printer be directed to lay before this House, without further delay, the printed report of the Warden of the State Prison.

On motion by Mr. Drake,

*Resolved*, That the Auditor of State be requested to communicate to this House the reasons which influence the State officers not to repair the building on the Governor's Circle, as they were author-

ized to do by an act of the General Assembly, approved February 16, 1848.

On motion by Mr. Kelso,  
Leave of absence was granted to the committee on education.

On motion by Mr. Line,  
The following resolution was taken from the table :

*Resolved*, That the rules and regulations adopted at the last General Assembly, fixing the mileage of the members of this House, be, and the same are hereby, adopted by the members of the present General Assembly in this House, and no member shall receive a greater amount than allowed under the said rules.

Mr. Kelso moved to strike out the resolution from the resolving clause and insert the following :

“That the members of this House are severally entitled to mileage to be computed according to the distance on the most usual rout travelled to the seat of government from their respective homes.”

Which amendment was adopted.

Mr. Hill moved to amend the resolution by inserting “land” after the word “usual.”

The ayes and noes being demanded by Messrs. Johnston, of Putnam, and Line :

*Those who voted in the affirmative are,*

Messrs. Alexander, Blakemore, Bryant, Bundy, Caldwell, Campbell, Casselberry, Chambers, Cockrum, Cotton, Cravens, Dawson, Decker, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Duvall, Edmonston, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Hendricks, Hicks, Hill, Howell, Hucklebury, Huddleston, Hughes, Hunt, Jackman, James, Johnson, of Dearborn, Johnston, of Putnam, Jones, of Bartholomew, Jones, of Huntington, Julian, Kelley, Line, Lozier, Maddox, Meacham, Meredith, Miller, Morgan, Nicholson, Odell, Orr, Osborn, Pierce, Place, Rice, Rifner, Riley, Rippey, Ross of Wabash, Rousseau, Shaw, Smith, Snook, Spencer, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Withstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—83.

*Those who voted in the negative are*

Messrs. Cox, Kelso, and Starbuck—3.

So the amendment was adopted.

Mr. Kelso moved to lay the resolution on the table.  
Which motion did not prevail.

The resolution, as amended, was adopted.

Mr. Vance offered the following preamble and resolution :

Whereas, It being merely a matter of taste by what title the Lieutenant-Governor should be addressed and styled after he becomes acting Governor of the State, but it being desirable that a uniform rule be established on this subject: Therefore,

*Resolved*, That every member of this House be, and they are hereby, instructed, and every body else, the Governor himself excepted, in the State, be respectfully requested, hereafter and forever, to address the Hon. Paris C. Dunning by the title of Governor; and that he, the said Hon. Paris C. Dunning, be allowed the privilege of exercising his own discretion as to what title he may be pleased to affix to his name hereafter.

On motion by Mr. Dobson,  
The resolution was laid on the table.

On motion of Mr. Line,  
The House adjourned.

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2 o'clock, P. M.

The House met.

A message from the Senate by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills and joint resolution thereof, to-wit :

No. 24. An act repealing a certain act therein named ;

No. 26. A joint resolution on the independence of Liberia ;

No. 88. An act fixing the salaries of the Trustees of the Wabash and Erie Canal ;

No. 114. An act to incorporate the Franklin and White river Turnpike company ;

In which the concurrence of the House is respectfully requested.

Which were severally read a first time and passed to a second reading.

A message from the Senate by Mr. Orth, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has this day passed the following engrossed bill thereof, to-wit:

No. 133. A bill in relation to the election of a justice of the peace in Fairfield township, Tippecanoe county;

In which the concurrence of the House is respectfully requested

On motion by Mr. Doyle,

The rules were suspended, and the bill read three several times and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit:

No. 125. An act to amend an act incorporating the Brookville and West Union Turnpike Company;

No. 135. An act to authorize the commissioners of Porter county to employ a physician for the poor.

In which the concurrence of the House is respectfully requested.

Which were each read a first time, and passed to a second reading.

A message from the Senate by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed joint resolution of the House, with one amendment, to-wit:

No. 96. A joint resolution in relation to the time of payment of the semi-annual interest due the bondholders of this State;

In which amendments of the Senate the concurrence of the House is respectfully requested.

Which amendments were concurred in by the House.

*Ordered*, That the clerk inform the Senate thereof.

#### HOUSE BILLS ON THIRD READING.

No. 3. A bill to incorporate the Williamsburgh and Centreville Turnpike Company ;

No. 7. A bill to amend an act entitled "an act to incorporate the College corner and Liberty Turnpike company, and the Liberty and Abington Turnpike company ;"

No. 8. A bill to legalize a certain sale made by Auditor of State;

No. 11. A bill to provide for taking the sense of the qualified voters of the State of Indiana, on the calling a convention to alter, revise or amend the constitution of this State.

No. 12. A bill to amend the act entitled "an act to incorporate the Madison and Brownstown Turnpike Company," which became a law February 11th, 1848 ;

No. 29. A bill to extend the duties of county surveyor ;

No. 33. A bill defining the duties of administrators *de bonis non* in certain cases ;

No. 38. A bill to vacate a part of a certain road in the county of Dearborn ;

No. 44. A bill authorizing the recorders of Franklin and Switzerland counties to make out a general index ;

Were each severally read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 45. A bill to amend an act entitled " An act to incorporate the Knightstown and Shelbyville Railroad Company," approved January 19th, 1846 ;

Was read a third time.

On motion by Mr. Morgan,

The clause in the last section ordering a publication in the Journal and Sentinel was stricken out.

The bill as amended passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 47. A bill to amend article eleven, chapter thirty, of the Revised Statutes of 1843 ;

Was read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 50. A bill relative the surties of justices of the peace ;

Was read a third time.

Mr. Line moved to recommit the bill to the committee on the judiciary, with instructions to insert in the proper place, " the said six years to be considered from the close of the term of office to which he is elected."

Which motion did not prevail.

The question then recurring on the passage of the bill,

The ayes and noes being demanded by Messrs. Wolfe and Kelso,

*Those who voted in the affirmative are,*

Messrs. Barbour, Drake, Edmonston, Johnson of Dearborn, Johnston of Putnam, Julian, Kelso, Line, Meredith, Nicholson, Ross of

Miami, Rousseau, Shaw, Vawter, Wade, Webster and Mr. Speaker  
—17.

*Those who voted in the negative are,*

Messrs. Alexander, Blakemore, Brady, Bryant, Bundy, Caldwell, Casselberry, Chambers, Cockrum, Commons, Cotton, Cox, Cravens, Dawson, Decker, Dobson, Donnouue, Dougherty of Boone, Dougherty of Morgan, Dowling, Doyle, Dunn, Duvall, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Hendricks, Hicks, Hill, Huddleston, Hughes, Hunt, Jackman, James, Jones of Bartholomew, Jones of Huntington, Kelly, Maddox, Meacham, Miller, Morgan, Odell, Orr, Osborn, Parker of Allen, Pierce, Place, Rice, Rifner, Riley, Rippey, Ross of Wabash, Smith, Snook, Spencer, Starbuck, Tuttle, Vance, Wilson, Winstandley, Withers, Wolfe, Wood and Young—70.

So the bill did not pass.

On motion by Mr. Dunn,

The vote on the passage of the bill was reconsidered.

Mr. Dunn moved to refer the bill to the committee on the judiciary with the following instructions :

“ 1. To insert a section providing that in case the sureties should abscond from the State, the time of absence shall not be considered a part of the six years.

“ 2. That in case a suit should be instituted against such sureties within six years, and for any irregularity the suit should be dismissed, a suit may be commenced ;”

Which motion prevailed.

Mr. Riley moved to instruct the committee as follows :

“ Amend so that the limitation shall not run until after expiration of such term of office which such officer may serve ;”

Which instructions were adopted.

No. 51. A bill to authorize a company to construct the Milton and Aurora Turnpike ;

No. 58. A joint resolution recommending a change in the present mode of electing the President and Vice President of the United States ;

No. 67. A bill for the relief of Aaron Wheeler of Laporte county;

No. 68. A bill authorizing the election of an additional justice of the peace in Adams township in Morgan county ;

No. 71. A bill to amend an act entled “ An act abolishing docket fees, and dispensing with final records in certain cases,” approved January 28th, 1843 ;

No. 72. A bill to incorporate the Madison County Hydraulic and Manufacturing Company ;

No. 75. A bill to repeal so much of section 54, chapter 12, of

the Revised Statutes of 1843, as requires the county treasurer to attend at the places of holding elections in each township, for the purpose of collecting taxes, so far as relates to the counties of Allen, Henry, Jefferson and White;

No. 77. A bill relating to the Baptist Education Society for Indiana;

No. 78. A bill regulating the granting of licences in the town of Connersville;

No. 79. A bill for the relief of certain land owners within the corporate limits of the city of Rising Sun in Ohio county;

No. 84. A bill for the relief of Christain Aiger;

No. 86. A bill to locate a State road from Fairfax in Monroe county, to Finley's mills in Jackson county;

No. 88. A bill to facilitate the discharge of mortgages given to the State of Indiana for the payment of bank stock;

No. 89. A bill to authorize the Governor of the State to sell certain rock belonging to the State of Indiana;

No. 91. A bill for the relief of Cain Dockey;

No. 72. A bill to authorize the county commissioners of Laporte county to borrow money, and for other purposes;

No. 94. A bill to authorize the erection of a new seminary in Henry county;

No. 97. A bill to amend sec. 336, chapter 40, of the Revised Code of 1843;

No. 98. A bill to authorize Zebina Warriner of Decatur county to file a bill in chancery;

No. 99. A bill to reduce the fees and salaries of county officers in the county of Blackford;

No. 100. A bill for the relief of Matthew McPhetridge, in the county of Monroe;

No. 103. A bill to amend article 2 of chapter 35 of the Revised Statutes of 1843;

No. 104. A bill amendatory of an act entitled "an act to incorporate the Michigan Road company," approved January 13, 1845, and an act entitled "an act to amend an act entitled 'an act to incorporate the Michigan Road company,' approved January 13, 1845," approved January 19, 1846;

No. 105. A bill for the relief of Magdalena Pfalzgraff;

No. 107. A preamble and joint resolution relative to the reduction of the price of public land in the great Miami National Reserve;

No. 108. A bill relative to the board of commissioners of the county of Boone;

No. 112. A bill to amend an act entitled "an act to regulate the mode of doing township business in the county of Elkhart," approved January 13, 1845;

No. 116. A bill to change the mode of doing county business in the county of Warrick, from justices of the peace to commissioners;

No. 118. A bill in relation to the duties of Auditor and Agent of State;

No. 119. A bill to legalize the election of a prosecuting attorney in the county of Daviess;

No. 121. A bill to authorize the probate court of Bartholomew county to sit two weeks at its February term;

No. 122. A bill extending the time of working roads and highways in the county of Clay;

No. 123. A bill to change the name of the town of Fleenerburgh, in the county of Monroe, to that of Unionville, and for other purposes;

Were each severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 130. A bill extending the provisions of an act therein named; Was read a third time.

Mr. Dougherty of Boone moved to recommit the bill to a select committee, with instructions to so amend the same that for the word "*satisfied*," where it occurs in the 8th line of the act approved February 16, 1848, referred to in said bill, shall be read the words "*set aside*."

Which motion prevailed, and the bill was so referred.

The Speaker appointed Messrs. Hendricks, Dougherty of Boone, Drake, Barbour, and Hicks, said committee.

No. 132. A bill regulating the fees of justices of the peace, mayors and constables, and for other purposes;

No. 133. A bill to repeal an act entitled "an act to extend the jurisdiction of justices of the peace in the counties of Lake and Porter," approved Feb. 14, 1848;

No. 138. A bill to amend the 9th section of the 7th article of the 5th chapter of the Revised Statutes of 1843;

Were each severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 141. A bill regulating loans of the county seminary fund; Was read a third time.

Mr. Blakemore moved to except the county of Cass from the provisions of the bill;

Which amendment was unanimously consented to by the House.

Mr. Wolfe moved to except the county of Sullivan;

Which motion did not prevail.

Mr. Odell moved to except the county of Carroll;

Which motion did not prevail.

The question then recurring on the passage of the bill,

The ayes and noes being demanded by Messrs. Wolfe and Rice,

*Those who voted in the affirmative are,*

Messrs. Blakemore, Bryant, Buskirk, Campbell, Cox, Dobson,

Dougherty of Morgan, Dowling, Dunn, Edmonston, Edwards, Goodwin, Graham, Hankins, Hill, Huckleberry, Huddleston, Jackman, Julian, Kelso, Line, Miller, Nicholson, Parker of Allen, Shaw, Smith, Starbuck, Vawter, Webster, Winstandley, and Mr. Speaker—31.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Brady, Bundy, Caldwell, Casselberry, Chambers, Cockrum, Commons, Cotton, Dawson, Decker, Donnouue, Dougherty of Boone, Drake, Duvall, Frazer, Ford, Gessie, Gillum, Hendricks, Hughes, Hunt, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Kelley, Maddox, Meacham, Morgan, Odell, Orr, Osborn, Parker of B., Pierce, Place, Rice, Rifner, Riley, Rippey, Ross of Wabash, Snook, Spencer, Tuttle, Vance, Wilson, Withers, Wolfe, Wood, and Young—52.

So the bill did not pass.

No. 142. A bill to pay the laborers on the northern division of the central canal;

No. 143. A bill to amend “an act for the government of the Indiana Hospital for the Insane;” approved Feb. 15, 1848;

No. 144. A bill to repeal “an act therein named, so far as the same relates to Owen county;”

No. 148. A bill to provide for the selection of petit jurors in the county of Jackson;

No. 154. A bill changing the mode of assessing State and county revenue in the counties of Daviess and Martin;

Were each severally read a third time and passed.

*Ordered,* That the clerk inform the Senate thereof.

On motion by Mr. Webster,  
The House adjourned.

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THURSDAY MORNING, DEC. 28, 1848.

The House met.

The Speaker laid before the House the following communication from the Auditor of State, in reply to a resolution of the House:

STATE AUDITOR'S OFFICE, Dec. 27, 1848.

HON. GEORGE W. CARR,

*Speaker of the House of Representatives:*

SIR:—To the resolution of the House of Representatives, adopted this morning, requesting me to communicate to the House "the reasons which influenced the State officers not to repair the building on the Governor's Circle, as they were authorized to do by an act of the General Assembly," approved Feb. 16, 1848, I beg leave to reply as follows:

At an early period after the adjournment of the last General Assembly, the individuals named in the act to which the resolutions refer, took the subject of the repair of the building alluded to into consideration, and for the purpose of being enabled to act understandingly on the matter, we called on Mr. Peck, the gentleman who superintended the erection of the State House, and two other good mechanics, and requested them to examine the foundation and walls of the building, and give us their opinion as to the expediency of making the repairs, and the probable amount it would cost to make the walls durable, and the house safe to inhabit.

They expressed some doubt about the policy of making the improvement, and gave it as their opinion that it would be a waste of money to make any repair in the foundation, unless it were entirely renewed to the top of the basement story, and that such a repair would involve an expenditure not much, if any, short of \$2,000.—It would have been necessary, also, in case of such a repair having been made in the walls, to have renewed the roof and cornice, which would have added considerably to the expenditure.

The act referred to gave the State officers authority to repair the building, "provided that on a careful examination they should deem it good policy for the State to do so." Ascertaining that the cost would be so considerable, and that consequently the policy of making the repairs was somewhat doubtful, we did not feel at liberty, under the restricted authority given us, to make any contract for the work, deeming it more advisable to suspend it until the meeting of the Legislature, and communicate the facts to that body for further action. We came to this conclusion the more readily on being assured by the mechanics to whom we referred the matter, that there was probably no danger of the house falling suddenly, and that the repairs could as well be made the next season as the last. On this assurance the Auditor's office has been continued in the same building, and the Judges of the Supreme Court have also continued to occupy it.

I would respectfully suggest to your honorable body the propriety of referring the subject to a committee, with a request that they examine the building, and report to the House of Representatives their opinion as to the policy of thoroughly repairing it. If it be

done at all, it should, I think, be done during the approaching season. It certainly cannot be occupied much longer in its present condition.

Respectfully submitted,

D. MAGUIRE,  
*Auditor of State.*

On motion by Mr. Drake,

The communication was referred to the committee on public buildings.

On motion by Mr. Ford,

The vote was reconsidered on the passage of No. 91. A bill for the relief of Cain Dockry.

On motion by Mr. Ford,

The bill was laid on the table.

Mr. Frazer moved to suspend the order of business for the purpose of reconsidering the vote on ordering the Senate bill No. 35 to a third reading;

Which motion did not prevail.

PETITIONS, &c., PRESENTED.

By Mr. Wade,

The petition of the trustees of the christian church at Stilesville, Hendricks county, praying for the passage of an act authorizing the execution of a deed in a certain case;

Which,

On motion,

Was referred to a select committee, consisting of, Messrs. Wade, Meacham, and Miller.

By Mr. Vance,

The petition of citizens of Marion county, praying for the extension of the jurisdiction of justices of the peace;

Which,

On motion by Mr. Vance,

Was referred to the committee on the judiciary.

By Mr. Gillum,

The petition of John Guthrie, praying for a divorce from his wife Rachel.

Mr. Kelso moved to lay the petition on the table;

Which motion did not prevail.

On motion,

The petition was referred to a select committee, consisting of, Messrs. Gillum, Frazer, and Dawson.

By Mr. Ford,

The petition of sundry citizens of Jackson county, praying to be attached to the county of Lawrence.

Mr. Ford moved to refer the petition to a select committee;

Which motion prevailed.

Mr. Harlan (occupying the chair temporarily) appointed Messrs. Ford, Carr, (the Speaker) and Dobson, said committee.

By. Mr. Barbour,

The petition of citizens of Bartholomew county, praying for the enactment of a law amending the law incorporating the seminary of said county.

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Barbour, Rousseau and Drake.

REPORTS FROM COMMITTEES.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referredd, bill No. 109, entitled, an act to extend the jurisdiction of justices of the peace in the county of Greene, in certain criminal cases, have had the same under consideration.

The bill proposes to give justices of the peace *exclusive* jurisdiction in certain criminal cases where the fine imposed is over three dollars. This, your committee believe, cannot be done consistent with the provisions of the 12th section of the 1st artile of the Constitution of Indiana, which provides, (among other things) "that no person arrested &c., shall be put to answer any criminal charge, but by presentment, indictment or impeachment."

Your committee are of opinion that to reconcile such jurisdiction with the Constitution there must be reserved to the defendant the right of election to be tried by the justice, by a jury, or be recognized to the Circuit Court; with such a provision incorporated therein, your committee would favor the passage of the bill.

Under all the circumstances, I am directed by the committee to recommend that said bill be laid upon the table.

Which report was concurred in.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred, bill No. 136, entitled, an act for the relief of H. H. Wright and Jacob Barcus, have had the same under consideration, and have directed me to report the bill back to the House and recommend its passage.

Mr. Blakemore moved to amend the bill by adding the following proviso to the 8th section :

*Provided*, That nothing in this act shall be construed as an admission of any thing set forth in the preamble hereto.

Mr. Lozier moved to indefinitely postpone the bill and pending amendments,

The ayes and noes being demanded by Messrs. Kelso and Wolfe,

*Those who voted in the affirmative are,*

Messrs. Alexander, Blakemore, Brady, Bundy, Buskirk, Caldwell, Campbell, Casselberry, Chambers, Cockrum, Commons, Cox, Cravens, Dawson, Decker, Dobson, Donnouhe, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Dunn, Duvall, Edmonston, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Huddleston, Hughes, Jackman, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Kelley, Line, Lozier, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Orr, Osborn, Parker of Allen, Parker of Brown, Pierce, Place, Rice, Riffner, Riley, Rippey, Ryan, Shaw, Smith, Snook, Spencer, Starbuck, Thompson, Tuttle, Wade, Webster, Wilson, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—82.

*Those who voted in the negative are,*

Messrs. Barbour, Bryant, Cotton, Doyle, Julian, Kelso, Maddox, Ross of Wabash, and Vance—9.

So the bill was indefinitely postponed.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred, bill No. 131, entitled, a bill to amend the practice in chancery, have had that matter under consideration, and have directed me to report said bill back to the House, and recommend its passage.

Which bill was ordered to be engrossed.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred, bill No. 140, entitled, an act to amend the 1st article of the 40th section, of the Revised Statute of 1843, in reference to suits at law; have had that

matter under consideration, and have directed me to report the same back to the House, and recommend its indefinite postponement.

Mr. Dunn moved to lay the report on the table,  
Which motion did not prevail.

The question on concurring in the report of the committee was decided in the affirmative.

Mr. Bryant, chairman of the committee on education, made the following report :

**MR. SPEAKER :**

The committee on education to which was referred, sundry resolutions of the House, in relation to the subject of free schools, have had the same under consideration, and have instructed me to report the accompanying bill, and recommend its passage. In presenting this bill the committee deem it proper to say, that it is not offered as an entire school system, but merely as amendatory of the acts now in force. Should, however, the provisions of this bill meet with the approbation of the General Assembly an entire school law, embodying all the enactments in force, with these amendments can be prepared. If, on the other hand, these amendments should not be adopted, the preparation of an entire school law embracing them, would in the opinion of the committee be attended with unnecessary expense.

No. 167. A bill to increase and extend the benefits of common schools.

On motion by Mr. Bryant,

*Ordered*, That the report be laid on the table, and 300 copies printed.

A message from the Senate by Mr. Emerson their assistant secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment:

No. 36. An act to change the name of Andrew Turner *alias* John Turner, to that of John Anderson Barnes.

No. 36. An act for the relief of Alvin N. Blackledge, and the heirs of Robert Thomson, deceased.

On motion by Mr. Edmonston,  
The House adjourned.

*2 o'clock, P. M.*

The House met.

A message from the Senate by Mr. Emerson, their assistant secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof, to-wit:

No. 84. An act to incorporate the Rockport and Washington Railroad company.

No. 105. An act for the relief of John Kromer.

No. 106. An act to change a certain State road therein named.

No. 108. An act to authorize the Auditor of Harrison county to execute a deed to William R. Goldsmith of said county.

No. 109. An act to repeal an act vacating Howard street in West Richmond.

No. 134. An act relative to the execution of decrees in Chancery.

In which the concurrence of the House is respectfully requested. Which were each severally read a first time, and passed to a second reading.

On motion by Mr. Edmonston,

The House took from the table No. 82, a bill to incorporate the town of Lamasco city, and define the powers of the President and Trustees thereof.

The bill was then ordered to be engrossed.

On motion by Mr. Meredith,

The order of business was suspended.

Mr. Meredith, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of John T. Custer and others have had the same under consideration, and directed me to report a bill and recommend its passage, and the committee ask to be discharged from the further consideration of the subject.

No. 168. A bill for the relief of John T. Custer;

Which bill was read a first time, and passed to a second reading.

On motion by Mr. Riley,  
The order of business was suspended.

Mr. Riley introduced,

No. 169. A bill explanatory of an act therein named ;  
Which was read a first time and passed to a second reading.

Mr. Riley moved to suspend the rules and read the bill a second time.

The ayes and noes being demanded by Messrs. Kelso and Riley,

*Those who voted in the affirmative are,*

Messrs. Alexander, Barbour, Brady, Bundy, Buskirk, Casselberry, Chambers, Cotton, Cox, Cravens, Dawson, Decker, Dobson, Donohue, Dougherty of Boone, Drake, Edmonston, Ford, Gillum, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Hughs, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Kelley, Line, Lozier, Morgan, Nicholson, Odell, Osborn, Parker of Brown, Place, Rice, Rifner, Riley, Rippey, Ross of Wabash, Rousseau, Ryan, Shaw, Smith, Snook, Spencer, Starbuck, Thompson, Vawter, Wade, Wilson, Winstandley, Withers, Wolfe, Wood, Young and Mr. Speaker—32.

*Those who voted in the negative are,*

Messrs. Blakemore, Bryant, Campbell, Cockrum, Commons, Dougherty of Morgan, Dowling, Doyle, Dunn, Duvall, Edwards, Frazer, Gessie, Goodwin, Graham, Hankins, Huddleston, Hunt, Jackman, Julian, Kelso, Maddox, Meredith, Miller, Mills, Orr, Parker of Allen, Pierce, Tuttle, and Vance—30.

So the rules were suspended.

Mr. Hicks offered the following amendment :

“That if the supreme court should reverse the decision of the circuit court on account of this explanatory act, the State shall pay all the legal and proper costs incurred by said Beards in the prosecution of their claim under the act of which this is explanatory.”

Mr. Riley moved to amend the amendment by adding “up to such reversal in the Supreme Court,”

Which was adopted.

Mr. Dowling moved to refer the bill and amendment to the committee on the judiciary,

Which motion prevailed.

A message from his Excellency the Governor, by Mr. Carr, his private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Represen-

tatives that he did on yesterday approve and sign the following bills and joint resolutions, to-wit:

- No. 4. An act for the relief of Walter Hilt;
  - No. 9. An act to incorporate the Ladies' Sigourney Library, at Logansport;
  - No. 13. An act to change the name of Mary Maranda Landrum;
  - No. 24. An act to change the name of Isaac Plum Pricket;
  - No. 25. A joint resolution in relation to the postage on newspapers and public documents;
  - No. 27. An act to amend an act entitled "an act for the relief of certain persons therein named," approved February 16th, 1848;
  - No. 32. An act to amend an act entitled "an act to incorporate the Centreville and Abbington Turnpike company," approved February 12, 1848;
  - No. 46. An act to amend "an act providing for the appointment of supervisors of highways in the counties of Decatur, Jefferson and Spencer, approved December 26th, 1844;
  - No. 55. An act to amend "an authorize a company to construct the Aurora and Laughery Turnpike," approved February 15, 1848;
  - No. 64. An act more effectually to provide for the security of school funds;
  - No. 91. An act amendatory to an act entitled "an act to incorporate the Hagerstown canal company," approved February 15, 1841;
- All of which originated in the House of Representatives.

On motion by Mr. Hill,  
The order of business was suspended.  
Mr. Hill from a select committee, made the following report:

**MR. SPEAKER :**

The select committee to whom was referred a resolution of the House inquiring into the situation of the "seven mile strip," lying in the counties of Clinton, Howard, and Cass, which was selected by the State of Indiana for canal purposes, and sold by said State to her citizens as canal lands, have had the same under consideration, and direct me to make the following report,

1st, That a selection of lands for canal purposes, (which selection includes said "seven mile strip,") made by John Vawter, William Elliot, Johnson Watts, and A. W. Morris, commissioners appointed for that purpose, was confirmed to the State of Indiana by an act of Congress approved February 27th, 1841.

2d, That there is no record evidence in the office of the Secretary of said State, showing the title of said State to said lands or any other lands granted to said State for the construction or extension of the Wabash and Erie canal.

Said committee would therefore report the following preamble and resolutions and recommend their passage.

No. 170. A joint resolution relative to land selected by the State of Indiana for canal purposes ;

Which was read a first time and passed to a second reading.

On motion by Mr. Kelso,

The order of business was suspended.

Mr. Kelso introduced,

No. 171. A bill for the relief of the persons therein named ;

Which was read a first time and passed to a second reading.

Mr. Kelso introduced,

No. 172. A bill for the relief of widows ;

Which was read a first time and passed to a second reading.

On motion by Mr. Edmonston,

The order of business was suspended for the purpose of calling upon standing committees for reports.

Mr. Dobson, chairman of the committee on claims, made the following report :

**MR. SPEAKER :**

The committee on claims, to whom was referred the petition of William Rust, have had the same under consideration, and have directed me to report the same back, and ask that it be referred to the committee on ways and means, with instructions that they make provision in some suitable bill to obviate such difficulties by giving the county Boards power to correct errors which may have been committed by the assessor at any term of their court.

Which was concurred in.

Mr. Brady from the committee on claims made the following report :

**MR. SPEAKER :**

The committee on claims to whom was referred bill of the House No. 114. To compensate the Adjutant General for organizing the 4th and 5th Regiments of Indiana Volunteers in 1847,

Have, according to order, had the same under consideration and directed me to report the same back and recommend its passage.

Mr. Frazer moved to lay the bill on the table,

Which motion did not prevail.

On motion by Mr. Line,

The bill was referred to the committee on military affairs.

Mr. Wolfe chairman of the committee on roads, made the following report :

**MR. SPEAKER :**

The committee on roads, to whom was referred a petition of sundry citizens of the counties of Shelby and Rush, asking for a State

road leading from the Michigan Road, in Shelby county, to the Andersonville road in the county of Rush, and a remonstrance from said counties on the same subject, have had them under advisement and directed me to report them back to the House with the following bill, and recommend its passage, and ask to be discharged from any further consideration of the subject:

No. 173. A bill to locate a State road in the counties of Shelby and Rush;

Which was read a first time, and passed to a second reading.

Mr. Hendricks, chairman of the committee on the State Bank, made the following report:

MR. SPEAKER:

The committee on the State Bank, to which was referred the reports of the several branches of the State Bank, have examined the same, and find that no action is necessary on the part of the House in relation thereto. The committee, therefore, report the same back to the House, and ask that said reports be laid upon the table and the committee discharged from the further consideration thereof.

Which report was concurred in.

Mr. Hunt, from a select committee, made the following report:

MR. SPEAKER:

The select committee to which was referred a bill of the House, No. 149, entitled "An act relative to the Commissioners of the Western Division of the Buffalo and Mississippi Railroad Company," have had that subject under consideration, and directed me to report the same back to the House, with one amendment, and when so amended recommend its passage.

Amend section 2 by adding the following:

"Provided, That nothing herein contained shall be so construed as to require or authorize the said Buffalo and Mississippi Railroad Company to redeem said branch, but the same shall be constructed, run, managed, and operated forever by the Board of Commissioners of said Western Division, and their successors, or the lenders of the money, (as the case may be,) as is provided in section three of an act, entitled "An act to amend an act entitled an act to incorporate the Buffalo and Mississippi Railroad Company, approved February 6, 1835, and the several acts amendatory thereto," approved February 8, 1848; and the costs thereof shall not at any time constitute a charge upon the said Buffalo and Mississippi Railroad Company; nor shall said Company at any time have or exercise any control over said branch, or any part thereof; and for the purpose of constructing, managing, running, and operating said branch, the said Board of Commissioners of said Western Division, and their suc-

cessors in office forever, are hereby constituted a body politic and corporate, with perpetual existence during the life of the said original charter, with such powers for the purposes aforesaid as are specified and given in the amendment aforesaid, approved February 8, 1848.

*"And provided further,* That in case the said Buffalo and Mississippi Railroad Company shall redeem as provided and allowed in the amendment last aforesaid, the said Board of Commissioners, or lenders of the money, or owners of said branch, as the case may be, shall be entitled to all the privileges on the road between the juncture of said branch and the main line of said road and Lake Michigan, and from thence to join the Illinois State line, secured to the Michigan Central Railroad Company by the 8th section of the amendment last aforesaid."

Which amendment was concurred in;  
And the bill ordered to be engrossed.

On motion by Mr. Hunt,

The rules were suspended, and the bill read a third time, and passed.

*Ordered,* That the Clerk inform the Senate thereof.

Mr. Ford, from a select committee, made the following report:

MR. SPEAKER :

Bill of the House, No. 126, that was referred back to the select committee that had it under consideration, have directed me to report it back as amended, and recommend its passage;

No. 126. A bill in relation to the collection of taxes,

Amended by striking out "next," after the word "January," and insert "in every year."

On motion by Mr. Dunn,

The county of Jefferson was excepted from the provisions of the bill.

On motion by Mr. Duvall,

The county of Parke was excepted from the provisions of the bill.

On motion by Mr. Kelso,

The vote on excepting the county of Parke was reconsidered.

Mr. Riley moved to lay the amendment excepting the county of Parke on the table;

Which motion prevailed.

On motion by Mr. Parker, of Allen,

The county of Allen was excepted from the provisions of the bill.

Mr. Dawson moved to amend the bill by striking out "before the first day of January," in the first section, and inserting "between the first day of November and the last day of December."

Mr. Meredith moved to amend the amendment by inserting in the proper place "That the Treasurer shall attend at the usual places of holding elections between the first of October and the first of January, or at such time as shall be designated by the Board of County Commissioners."

Which amendment was not adopted.

The question then recurring on the amendment offered by Mr. Dawson,

Was decided in the affirmative.

On motion by Mr. Place,

The county of Laporte was excepted from the provisions of the bill.

On motion by Mr. Miller,

The county of St. Joseph was excepted from the provisions of the bill.

On motion by Mr. Julian,

The county of Wayne was excepted from the provisions of the bill.

On motion by Mr. Bundy,

The county of Henry was excepted from the provisions of the bill.

On motion by Mr. Rousseau,

The county of Greene was excepted from the provisions of the bill.

On motion by Mr. Kelley,

The county of Ripley was excepted from the provisions of the bill.

On motion by Mr. Hankins,

The bill was recommitted to the same select committee, with the following instructions :

"To report a bill for the repeal of all existing laws on that subject, and report a bill which shall provide that the County Commissioners shall fix a time when the Treasurers of the different counties shall attend at the usual places of holding elections for the purpose of collecting taxes ; said time to be fixed between the first of October and the first of January."

Mr. Howell, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of Peter Shidler and others, in relation to the boundaries of the county of Blackford, have had the same under consideration and directed me to report the following bill and recommend its passage :

No. 174. A bill defining the boundaries of the county of Blackford ;

Which was read a first time and passed to a second reading.

On motion by Mr. Orr,

The rules were suspended and the bill read a second time.

Mr. Orr moved to refer the bill to a select committee.

Mr. Riley moved to refer the bill to the committee on corporations ;  
Which motion did not prevail.

The question then being on referring the bill to a select committee ;

Was decided in the affirmative.

The Speaker appointed Messrs. Orr, Howell, and Wood, said committee.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report :

**MR. SPEAKER :**

The committee on enrolled bills, have compared the following enrolled with the engrossed bills, and find them truly enrolled, to-wit.:

No. 42. An act to authorize the commissioners of Hamilton, Tipton, and Miami counties, to borrow money ;

No. 54. An act to amend an act entitled "An act to incorporate the town of New Castle, in the county of Henry;"

An act in relation to bridges &c., in Fayette county ;

Whereupon, the Speaker signed the same.

*Ordered,* That the clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Hughes introduced

No. 175. A joint resolution in relation to the Lafayette, Monticello, and Michigan City Rail Road ;

Which was read a first time and passed to a second reading.

Mr. Buskirk introduced

No. 176. A joint resolution on the subject of the three per cent. fund ;

Which was read a first time and passed to a second reading.

Mr. Frazer introduced

No. 177. A bill to incorporate the Warsaw Manufacturing Company ;

Which was read a first time and passed to a second reading.

On motion by Mr. Meredith,

The House adjourned.

FRIDAY MORNING, DECEMBER 29, 1848.

The House met.

PETITIONS, &c., PRESENTED.

By Mr. Buskirk,

The petition of citizens of the counties of Monroe, Owen, and Greene, praying for the location of a State road, from Bloomington via Whitehall, to Point Commerce;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Buskirk, Dobson, and Rousseau.

By Mr. Jones, of Huntington,

The petition of citizens of Huntington county, relative to a poll tax;

Which,

On motion,

Was referred to the committee on ways and means.

By Mr. Ryan,

The petition of citizens of Madison county, praying for the repeal of all laws granting license for the sale of spirituous liquors;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Ryan, Shaw, and Vawter.

By Mr. Bundy,

The petition of one hundred citizens of Henry county, praying for a charter to construct a Plank or McAdamized road in said county;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Bundy, Rifner, and Huddleston.

By Mr. Cox,

The petition of Geo. Hibben and others, citizens of Rush county, in relation to reviving a law relative to the jurisdiction of justices of the peace, so far as the said county is concerned;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Cox, Huddleston, and Johnston, of Putnam.

By Mr. Wood,

The petition of citizens of Randolph county, praying for the repeal of an act extending certain laws therein mentioned to Randolph county;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Wood, Howell, and James.

By Mr. Ryan,

The petition of citizens of Madison county, praying for the passage of a bill allowing a justice of the peace for New Columbus;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Ryan, Shaw, and Blakemore.

By Mr. Orr,

The petition of citizens of Delaware county, relative to the school funds of said county;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Orr, Vance, and Vawter.

#### REPORTS FROM COMMITTEES.

Mr. Frazer, from the committee on ways and means, made the following report:

MR. SPEAKER:

The committee on ways and means to whom was referred, a resolution of the House, directing an inquiry into the expediency of continuing in force for the year 1848, the laws of last session, passed for the relief of regular and volunteer soldiers who served in the war with Mexico, have had that subject under consideration, and have directed me to report that they deem it inexpedient to continue such laws in force any longer. They have, therefore, directed me to report the following bill and recommend its passage:

No. 178. A bill repealing the several acts exempting soldiers of the Mexican war from the paying of taxes.

Which was read a first time and passed to a second reading.

Mr. Dunn, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The committee on the judiciary to whom was referred, House bill No. 129, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage:

No. 129. A bill to amend an act, entitled, "an act to amend ar-

ticle 5, of chapter 45, of the Revised Code of 1843," approved February 16, 1848.

Which was ordered to be engrossed.

Mr. Dunn, from the committee on the judiciary, made the following report :

**MR. SPEAKER :**

The committee on the judiciary to whom was referred, bill of the House No. 128, entitled, "a bill creating the Marion Court of Common Please," with instructions to strike out all that portion of the bill relating to docket fees, have had the same under consideration, and have directed me to report that said committee recommend that the eleventh section of said bill be stricken out, and the following substituted therefor :

Strike out 11th section and insert the following :

Sec. 11. In all judgment in original causes at law, except ejectment and disseisin, there shall be taxed against the unsuccessful party a fee of three dollars, and in all decrees in chancery and of divorce, and in cases of ejectment and disseisin there shall be taxed in like manner a fee of five dollars, and in all appeal cases from and writs of certiorari to the judgments of justices of the peace there shall be taxed a fee of two dollars, payable as shall be ordered by the court, all of which fees shall be taxed and collected as costs for the use of the Judge of the court, and when collected shall be paid over to him as part of the perquisites of his office.

*Provided*, That upon the return of an execution or fee bill for the costs assessed as above with the endorsement thereon by the proper officer of "no property found," if the party against whom said execution or fee bill was issued, be the defendant in said case, it shall then be lawful for the Clerk of said court to issue a fee bill against the plaintiff or plaintiffs, complainant or complainants in said case for the amount of the fees assessed as aforesaid, and when the plaintiff or plaintiffs, complainant or complainants shall have paid the amount of said costs, he or they shall be entitled at any time thereafter to have a fee bill issued for his or their use against the party upon whom said costs were originally taxed.

*And provided further*, That a writ of error, or an appeal shall lie in the Marion Circuit Court from any decision of the Court of Common Pleas upon the taxation of costs, and in all such cases the Judge shall certify a statement of the question to be decided by the Circuit Court without sending up record, but such writ of error or appeal shall in no case stay execution on the judgment or decree, except as to such costs.

Which amendment was concurred in.

The bill as amended, was then ordered to be engrossed.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred, bill No. 61, entitled, an act to incorporate the Evansville and Terre Haute Rail Road Company, have had that subject under consideration, and are of opinion it would not be good policy on the part of the State to pass the bill at this time.

Your committee are aware of the anxiety of the friends of the measure, and they are of opinion that the persons in that region of country are in need (to some extent) of such a public improvement, but circumstanced as the State is at present, in reference to her contract with the Bondholders, and in regard to the Wabash and Erie Canal, your committee believe it would be imprudent to pass such a law at this time.

The committee have therefore directed me to report the bill back to the House, and recommend its indefinite postponement.

Mr. Kelso moved to lay the report and bill on the table,

On motion by Mr. Hill,

A call of the House was ordered.

After some time was spent therein, eighty-nine members answered to a call of their names.

On motion by Mr. Line,

A further call was dispensed with.

Leave of absence was granted to Mr. Cotton.

The question being on laying the report and bill on the table,

The ayes and noes being demanded by Messrs. Wolfe and Donohue,

*Those who voted in the affirmative are,*

Messrs. Allen, Barbour, Blakemore, Bryant, Casselberry, Chambers, Cockrum, Cox, Cravens, Dougherty of Morgan, Dunn, Edmonston, Gillum, Goodwin, Graham, Howell, Jackman, James, Julian, Kelley, Kelso, Line, Maddox, Meredith, Mills, Nicholson, Pierce, Place, Ross of Miami, Ross of Wabash, Rossseau, Ryan, Shaw, Snook, Spencer, Starbuck, Thompson, Vawter, Wilson and Withers—40.

*Those who voted in the negative are,*

Messrs. Alexander, Brady, Bundy, Buskirk, Caldwell, Campbell, Commons, Dawson, Decker, Dobson, Donohue, Dougherty of Boone, Dowling, Doyle, Drake, Edwards, Frazer, Ford, Gessie, Hankins, Harlan, Hendricks, Hicks, Hill, Huckleberry, Huddleston,

Hughes, Hunt, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Lozier, Meacham, Miller, Morgan, Odell, Orr, Osborn, Parker, of Allen, Parker of Brown, Rice, Rifner, Riley, Rippey, Smith, Tuttle, Vance, Wade, Webster, Winsteadley, Wolfe, Wood, Young and Mr. Speaker—55.

So the bill was not laid on the table.

The question then being on concurring in the report of the committee, which recommended the indefinite postponement of the bill.

The ayes and noes being demanded by Messrs. Riley and Goodwin,

*Those who voted in the affirmative are :*

Messrs. Allen, Blakemore, Bryant, Casselberry, Chambers, Cockrum, Commons, Cravens, Dawson, Dougherty of Morgan, Dunn, Edmonston, Gillum, Goodwin, Graham, Howell, Jackman, James, Julian, Kelly, Kelso, Line, Meredith, Mills, Nicholson, Orr, Ross of Miami, Ross of Wabash, Rousseau, Ryan, Snook, Spencer, Starbuck, Thompson, Tuttle, Vawter, Wilson and Withers—38.

*Those who voted in the negative are :*

Messrs. Alexander, Barbour, Brady, Bundy, Buskirk, Caldwell, Campbell, Cox, Decker, Dobson, Donnouhe, Dougherty of Boone, Dowling, Doyle, Drake, Edwards, Frazer, Ford, Gessie, Hankins, Harlan, Hendricks, Hicks, Hill, Huckleberry, Huddleston, Hughes, Hunt, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Lozier, Maddox, Meacham, Miller, Morgan, Odell, Osborn, Parker of Brown, Pierce, Place, Rice, Rifner, Riley, Rippey, Shaw, Smith, Vance, Webster, Winsteadley, Wolfe, Young, and Mr. Speaker—55.

So the bill was not indefinitely postponed.

Mr. Edmonston moved to amend the bill by striking out the name of "Terre Haute" wherever it occurs, and inserting "the town of Sullivan."

Mr. Allen moved to amend the amendment by striking out "Evansville" wherever it occurs, and inserting "Vincennes."

Mr. Hill moved to lay the amendment and the amendment to the amendment on the table.

The ayes and noes being demanded by Messrs. Withers and Mills,

*Those who voted in the affirmative are,*

Messrs. Alexander, Brady, Bundy, Buskirk, Campbell, Commons, Cox, Cravens, Decker, Dobson, Donnouhe, Dougherty of Boone, Dowling, Doyle, Drake, Dunn, Edwards, Ford, Gessie, Harlan, Hendricks, Hicks, Hill, Huckleberry, Huddleston, Hughes, Hunt, Jack-

man, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Lozier, Maddox, Miller, Morgan, Orr, Osborn, Parker of Brown, Place, Rice, Rifner, Riley, Rippey, Ross of Wabash, Shaw, Smith, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Wolfe, Wood, Young and Mr. Speaker—57.

*Those who voted in the negative are,*

Messrs. Allen, Barbour, Blakemore, Bryant, Caldwell, Casselberry Chambers, Cockrum, Dougherty of Morgan, Edmonston, Frazer Goodwin, Graham, Howell, James, Johnson of Dearborn, Kelley Kelso, Line, Meacham, Meredith, Mills, Nicholson, Odell, Ross, of Miami, Rousseau, Ryan, Snook, Spencer, Starbuck, Wilson, Windstandley and Withers—33.

So the amendment and the amendment to the amendment were laid on the table.

A message from the Senate by Mr. Emerson, their assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit:

*Resolved*, That the House of Representatives be informed that the Senate has elected the Hon. James G. Read President pro tem. of the Senate, and are now ready to resume legislative business.

Mr. Withers moved to amend the bill by striking out "Evansville" wherever it occurs, and insert "Princeton."

Mr. Allen moved to amend the amendment by striking out "Evansville" wherever it occurs, and inserting "Mt. Vernon," and further by striking out, "Terre Haute" and inserting "Merom."

Mr. Withers moved to recommit the bill to a select committee, consisting of one from each Congressional District.

Mr. Riley moved the previous question, which was seconded.

The question then being,

"Shall the main question now be put?"

The ayes and noes being demanded by Messrs. Edmonston and Withers,

*Those who voted in the affirmative are:*

Messrs. Brady, Bundy, Caldwell, Campbell, Commons, Decker, Dobson, Donnolue, Dougherty of Boone, Dowling, Doyle, Drake, Ford, Gessie, Gillum, Harlan, Hendricks, Hicks, Hill, Huckleberry, Huddleston, Hughes, Johnston of Putnam, Johnson of Dearborn, Jones of Huntington, Line, Maddox, Meacham, Morgan, Odell, Orr, Osborn, Parker of Allen, Parker of Brown, Pierce, Rifner, Riley,

Rippey, Ross of Wabash, Shaw, Smith, Vance, Winstandley, Wolfe, Wood and Young—46.

*Those who voted in the negative are:*

Messrs. Alexander, Allen, Barbour, Blakemore, Bryant, Buskirk, Casselberry, Chambers, Cockrum, Cox, Cravens, Dawson, Dougherty of Morgan, Dunn, Edmonston, Edwards, Frazer, Goodwin, Graham, Hunt, Jackman, James Kelley, Kelso, Meredith, Miller, Mills, Nicholson, Place, Rice, Ross of Miami, Ryan, Snook, Spencer, Starbuck, Tuttle, Vawter, Webster, Wilson, Withers, and Mr. Speaker—41.

So it was ordered that the main question should be put.

The question then recurring on the main question, which was on ordering the bill to be engrossed,

The ayes and nays being demanded by Messrs. Withers and Goodwin,

On motion by Mr. Kelso,

The House adjourned.

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*Two o'clock, P. M.*

The House met.

When the House adjourned, No. 61. A bill to incorporate the Evansville and Terre Haute Railroad Company, was under consideration.

The question pending being the main question, which was,  
"Shall the bill be engrossed?"

The ayes and noes having been demanded on the pending question,

*Those who voted in the affirmative are,*

Messrs. Caldwell, Decker, Dobson, Donnouue, Dougherty of Boone, Dowling, Doyle, Drake, Edwards, Frazer, Ford, Gessie, Harlan, Hendricks, Hicks, Hill, Huckleberry, Jones of Bartholomew, Morgan, Osborn, Parker of Brown, Rice, Riley, Shaw, Smith, Winstandley, Wolfe, Wood, and Young—29.

*Those who voted in the negative are,*

Messrs. Allen, Barbour, Blakemore, Bryant, Buskirk, Casselberry, Chambers, Cockrum, Commons, Cotton, Cox, Cravens, Dawson, Dougherty of Morgan, Dunn, Edmonston, Gillum, Goodwin, Graham, Hankins, Huddleston, Jackman, James, Jones of Huntington, Julian, Kelley, Kelso, Line, Maddox, Meredith, Miller, Mills, Nicholson, Orr, Pierce, Rippey, Ross of Miami, Ross of Wabash, Ryan, Snook, Spencer, Starbuck, Thompson, Tuttle, Vance, Vawter, Webster, Wilson, Withers, and Mr. Speaker—50.

So the bill was not ordered to be engrossed.

Mr. Barbour moved to suspend the order of business for the purpose of calling on committees for reports.

ORDERS OF THE DAY.

*Senate Bills on third reading.*

No. 6. A bill to exempt the county of Washington from the force and operation of the 61st section of the act entitled "an act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the board of internal improvements, and the offices of fund commissioner and chief engineer," approved 28th January, 1842.

On motion by Mr. Kelso,

The vote on ordering the bill to be engrossed, was reconsidered.

On motion by Mr. Kelso,

The bill was recommitted to a select committee, composed of members from the counties through which the proposed road was to pass, viz :

Messrs. Wolfe, Osborn, Dowling, Edwards, Cockrum, James and Allen.

On motion,

Messrs. Edmonston, Ford, and Hendricks, were added to said committee.

Mr. Hendricks moved to suspend the order of business;

Which motion did not prevail.

No. 7. A bill to transfer certain cases now pending in the Harrison circuit court, to the probate court of said county;

No. 10. A bill to incorporate the Columbus, Nashville, and Bloomington Railroad Company;

No. 11. A bill to authorize the Secretary of State to send additional copies of the laws to the State to the county of Jay;

No. 12. A bill to fix the time of holding courts in the first judicial circuit, and the probate court of Tippecanoe county;

No. 21. A bill to authorize Patsey C. Paden to sell certain real estate which she inherited from her father;

No. 23. A bill to incorporate the "Trustees of the Greencastle Female Collegiate Seminary;"

No. 29. A bill to give effect to the last will and testament of Jane Parker;

No. 31. A bill to amend an act entitled "an act regulating the practice of law in the Allen Circuit Court, and for other purposes," approved 15th January, 1844;

No. 34. A bill to locate a State road in the counties of Decatur, Jennings and Bartholomew;

Were each severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 35. A bill incorporating the Lafayette Plank Road Company;

Was read a first time;

Mr. Cox moved to recommit the bill to a select committee, with instructions to strike out that portion of the bill requiring the construction of a double track;

Which motion prevailed.

Mr. Line moved to instruct the committee further to add in the proper place the following section :

"Sec. — That the Governor of this State shall appoint a disinterested commissioner, and that the company appoint like commissioner, and they appoint a third, who shall assess the actual cash value of the road, or that part of it upon which said plank road shall run, and the company shall pay to the State of Indiana four per cent. per annum upon the amount thus assessed, with the privilege of the company paying the principal at such time as the company may agree upon;"

Which instructions were not adopted.

Messrs. Doyle, Snook and Donnohue were appointed said committee.

No. 40. A bill incorporating the Dayton and Frankfort Plank Road Company;

No. 42. A bill defining the duties of County Treasurers in the counties therein named;

No. 51. A bill to amend "An act to amend and reduce into one the several acts relating to the corporation of the town of Vevay," approved 26th January, 1846;

Were each read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Edmonston,

The House took up,

No. 80. A bill to repeal an act to provide for the election of a Prosecutor in the several counties in this State;

The bill was read a second time;

The question being on ordering the bill to be engrossed;

The ayes and noes being demanded by Messrs. Edmonston and Morgan,

*Those who voted in the affirmative are,*

Messrs. Allen, Bryant, Bundy, Casselberry, Chambers, Cockrum, Cotton, Cravens, Dobson, Edmonston, Ford, Gillum, Goodwin, Graham, Huckleberry, Hughes, James, Johnson, of Dearborn, Maddox, Mills, Odell, Osborn, Parker, of Brown, Place, Rice, Ross, of Miami, Rousseau, Smith, Spencer, Starbuck, Webster, Withers, Wolfe, Young, and Mr. Speaker—35.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Blakemore, Brady, Buskirk, Caldwell, Campbell, Commons, Cox, Dawson, Decker, Dougherty, of Boone, Dougherty, of Morgan, Dowling, Drake, Dunn, Edwards, Frazer, Gessie, Hankins, Harlan, Hendricks, Hicks, Hill, Huddleston, Jackman, Johnston, of Putnam, Jones, of Bartholomew, Jones, of Huntington, Julian, Kelley, Kelso, Line, Lozier, Meacham, Meredith, Miller, Morgan, Nicholson, Orr, Parker, of Allen, Pierce, Riffner, Riley, Rippey, Ross, of Wabash, Ryan, Shaw, Snook, Tuttle, Vance, Vawter, Wade, Wilson, Winstandley, and Wood—55.

So the bill was not ordered to be engrossed.

#### BILLS OF THE SENATE ON THEIR SECOND READING.

No. 24. A bill repealing a certain act therein named ;  
Was read a first time, and ordered to a second reading.

No. 26. A joint resolution on the Independence of Liberia ;  
Was read a second time, and,

On motion by Mr. Riley,

Referred to the committee on the judiciary.

No. 41. A bill to amend the law relative to costs in appeals from Justices of the Peace ;

Was read a second time, and,

On motion by Mr. Hendricks,

Referred to the committee on the judiciary.

No. 43. A bill to amend the Statute regulating the granting of Divorces ;

Was read a second time ;

Mr. Riley moved to refer the bill to a select committee,  
Which motion did not prevail.

On motion by Mr. Barbour,

The bill was laid on the table.

No. 45. A bill authorizing David Moss to sell certain stone in Hamilton county ;

Was read a second time, and ordered to a third reading.

No. 47. A bill to incorporate the Lima band ;

Was read a second time, and,

On motion by Mr. Dougherty of Morgan,  
Referred to the committee on corporations.

No. 49. A bill relative to the Law Library ;  
Was read a second time, and,

On motion by Mr. Edmonston,  
Referred to the committee on the State Library.

No. 50. A bill to authorize the establishment of a ferry across  
the Wabash river at the town of Independence ;

Was read a second time, and,

On motion by Mr. Bryant,  
Laid on the table.

No. 53. A bill to incorporate "The Fairplay Fire Engine and  
Hose Company of the city of Madison ;"

Was read a second time, and ordered to a third reading.

No. 54. A bill to amend the Peru and Indianapolis Railroad  
charter ;

Was read a second time, and,

On motion by Mr. Drake,  
Laid on the table.

No. 55. A bill to amend "an act to incorporate the Fairfield Hy-  
draulic company ;"

Was read a second time, and,

On motion,  
Referred to a select committee, consisting of,  
Messrs. Line, Campbell, and Maddox.

No. 56. A bill to change the name of Emeline Grubb ;

Was read a second time, and ordered to a third reading.

No. 57. A bill to legalize the sale of a certain school section  
therein named ;

Was read a second time, and ordered to a third reading.

No. 58. A joint resolution relative to the right of way for a rail-  
way in Illinois ;

Was read a second time and ordered to a third reading.

On motion by Mr. Edwards,  
The rules were suspended, and the bill read a third time and  
passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 59. A joint resolution relative to the right of way of the  
Ohio and Mississippi Railroad in Illinois ;

Was read a second time and ordered to a third reading.

On motion by Mr. Allen,  
The rules were suspended, and the bill read a third time, and  
passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 63. A bill to amend the several acts now in force incorpo-  
rating the town of Greensburgh ;

Was read a second time.

Mr. Morgan moved to amend the bill by adding the following additional section :

Sec. —. When any person or persons shall be the owner of any real estate situated on any street or part of a street, and may wish to improve said street or part of a street, beyond the ordinary means of said corporation, the board of trustees may, on petition of said person or persons, levy a separate tax on such real estate, for the improvement of such street or part of a street as shall be designated in such petition, and such tax so levied shall be applied to the object and in the manner set out in said petition : *Provided, however,* That no such tax shall be levied on the real property of any person who shall not sign said petition.

Which amendment was adopted.

The bill as amended was ordered to a third reading.

No. 64. A bill in relation to the highway tax of Lagrange county ;

Was read a second time, and,

On motion by Mr. Webster,

Laid on the table.

No. 65. A bill to incorporate the Brookville and Fairfield Turnpike company ;

Was read a second time, and ordered to a third reading.

No. 72. A bill to amend an act entitled "an act to incorporate the Crawfordsville and Wabash Railroad company," approved January 19, 1846;

Was read a second time, and ordered to a third reading.

No. 73. An act relative to the sale of school lands in certain counties therein named, and to amend article 13, chapter 13, of the Revised Statutes of 1843 ;

Was read a second time, and,

On motion by Mr. Jones of Huntington,

The counties of Huntington and Whitley were added to the provisions of the bill,

And the bill ordered to a third reading.

No. 74. A bill to repeal section three, (3,) chapter twenty-eight, (28,) Revised Statutes of 1843, relative to contracts with Indians ;

Was read a second time, and,

On motion by Mr. Edmonston,

Referred to the judiciary committee.

No. 75. A bill to incorporate the General Association of Baptists in Indiana ;

Was read a second time, and ordered to a third reading.

No. 76. A bill to define the jurisdiction of justices of the peace in the several counties therein named ;

Was read a second time, and,

On motion by Mr. Rousseau,

The county of Greene was added to the provisions of the bill.

On motion by Mr. Riley,

The bill was referred to a select committee.

Messrs. Riley, Rousseau, and Barbour, were appointed said committee.

No. 77. A bill for the relief of John and Sarah Wilson;

Was read a second time;

Mr. Morgan moved to indefinitely postpone the bill.

The ayes and noes being demanded by Messrs. Kelso and Parker of Allen,

*Those who voted in the affirmative are,*

Messrs. Alexander, Blakemore, Brady, Bryant, Buskirk, Caldwell, Casselberry, Cockrum, Commons, Cox, Dawson, Decker, Donnohue, Dougherty of Boone, Dougherty of Morgan, Drake, Frazer, Graham, Hankins, Hicks, Hill, Howell, Huddleston, James, Johnson, of Dearborn, Johnston, of Putnam, Julian, Kelso, Maddox, Miller, Morgan, Nicholson, Odell, Orr, Parker, of Allen, Rice, Ross, of Miami, Ryan, Spencer, Stanton, Starbuck, Tuttle, Vance, Vawter, Young, and Mr. Speaker—46.

*Those who voted in the negative are*

Messrs. Allen, Barbour, Bundy, Campbell, Chambers, Cotton, Cravens, Dobson, Dowling, Doyle, Dunn, Edmonston, Edwards, Ford, Gessie, Gillum, Goodwin, Harlan, Hendricks, Hucklebury, Hughes, Jackman, Jones, of Bartholomew, Jones, of Huntington, Kelley, Lozier, Meacham, Meredith, Osborn, Parker, of Brown, Pierce, Place, Rifner, Riley, Rippey, Ross, of Wabash, Rousseau, Shaw, Smith, Snook, Wade, Webster, Wilson, Withstandley, Withers, Wolfe, and Wood—47.

So the bill was not indefinitely postponed.

On motion of Mr. Kelso,

The bill was referred to the Judiciary committee.

No. 78. An act for the relief of William Armstrong;

Was read the second time and ordered to a third reading.

Mr. Edmonston moved the House adjourn,

Which motion did not prevail.

No. 81. An act to incorporate the Madison Marine Insurance Company;

Was read a second time, and

On motion by Mr. Edwards,

Referred to the committee on corporations.

No. 82. An act to incorporate the Richmond Bridge and Turnpike Company;

Was read a second time, and,

On motion by Mr. Riley,

Referred to the committee on corporations.

No. 84. An act to incorporate the Rockport and Washington Railroad Company;

Was read a second time, and

On motion by Mr. Wolf,

Referred to the committee on corporations.

No. 85. An act for the Relief of Lavina Whisler;

Was read a second time and ordered to a third reading.

No. 76. An act in relation to the New Albany and Salem Railroad Company;

Was read a second time.

Mr. Cadwell offered the following amendment:

Strike out 2nd section and insert the following:

Sec. 2. Any association of persons found at Charleston and vicinity, in the county of Clark, under the provisions of the act to which this is an amendment, are hereby authorized to construct a rail road from Charleston to connect with the said railroad between New Albany and Salem, on such terms and conditions and at such point as they may agree with said New Albany and Salem Railroad Company, and may join their stock and merge themselves with said Railroad Company, or when formed hold the separate name of Charleston Branch of the New Albany Railroad Company, with all the rights, privileges, and power of an incorporated company; *Provided, however,* That in crossing the track of the Ohio and Indianapolis Railroad company, a just course shall be pursued, and said branch shall not interfere with the rights of said last named company, nor injure the track or facilities for travel and transportation of said last named Railroad.

On motion by Mr. Kelso,

The bill and amendment were referred to a select committee consisting of the members from Floyd, Clark, and Washington counties, viz:

Messrs. Winstanley, Caldwell, Huckleberry, Cravens, and Thompson.

On motion by Mr. Drake,

No. 54. A bill to amend the Peru and Indianapolis Railroad charter;

Was taken from the table and referred to a select committee consisting of,

Messrs. Shaw, Drake, and Ross, of Miami.

Mr. Edmonston moved the House adjourn;

Which motion did not prevail.

Mr. Kelso, on leave being granted, introduced the following resolution:

*Resolved*, That when this House adjourns on to-morrow (Saturday) evening, they will adjourn to meet on Tuesday morning at 9 o'clock.

Mr. Ford moved to strike out "Tuesday," and insert "Thursday;"

Which motion did not prevail.

The question recurring on the passage of the resolution,  
The ayes and noes being demanded by Messrs. Miller and Starbuck,

*Those who voted in the affirmative are,*

Messrs. Allen, Barbour, Bundy, Cotton, Dougherty, of Boone  
Gessie, Hendricks, Kelso, Ryan, and Shaw—10.

*Those who voted in the negative are,*

Messrs. Alexander, Blakemore, Brady, Buskirk, Caldwell, Chambers, Cockrum, Commons, Cox, Cravens, Dawson, Decker, Dobson, Donnohue, Dougherty, of Morgan, Dowling, Doyle, Drake, Dunn, Edmonston, Edwards, Frazer, Ford, Gillum, Goodwin, Graham, Hankins, Harlan, Hill, Howell, Huckleberry, Huddleston, Jackman, James, Johnson, of Dearborn, Johnston, of Putnam, Jones, of Bartholomew, Jones, of Huntington, Julian, Kelly, Maddox, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Parker, of Allen, Parker, of Brown, Pierce, Place, Risner, Rippey, Ross, of Miami, Ross, of Wabash, Snook, Spencer, Stanton, Starbuck, Tuttle, Vance, Vawter, Webster, Wilson, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—73.

So the resolution was not adopted.

On motion by Mr. Meacham,  
The House adjourned.

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SATURDAY MORNING, DEC. 30, 1848.

The House met.

On motion by Mr. Line,  
The reading of the Journal of the preceding day was dispensed with.

On motion by Mr. Hunt,  
Messrs. Cotton, Ford, Ryan, Shaw, Starbuck, and Wade, were added to the committee on benevolent and scientific institutions.

## PETITIONS &amp;c., PRESENTED.

By Mr. Starbuck,

The petition of citizens of Union and Fayette counties, praying for a charter for a turnpike road, from the Oxford road at the State line, *via* Dunlapsville, Billingsville and Alquina, to Connerville;

Which,

On motion by Mr. Starbuck,

Was referred to the committee on corporations.

By Mr. Cockrum,

The petition of citizens of Gibson county, praying for legislation for the relief of land owners in the seminary townships in Gibson county;

Mr. Allen moved to refer the petition to the committee on the judiciary.

Mr. Cockrum moved to refer the petition to a select committee;

Which motion prevailed.

The Speaker appointed Messrs. Cockrum, Edmonston and Dunn said committee.

By Mr. Wood,

The petition of citizens of Jackson township, Randolph county, relative to school lands in township 19, range 1 West, in said county;

Which,

On motion by Mr. Campbell,

Was referred to the committee on education.

By Mr. Cotton,

The petition of J. P. Dunn, F. Connor, and 61 others, praying the grant of a joint stock company for the purpose of constructing a Rail Road, commencing on the Ohio River at Troy, Perry county, Indiana, and terminating on the Wabash River, at some suitable point;

Which,

On motion,

Was referred to a select committee consisting of,

Messrs. Cotton, Graham and James.

## REPORTS FROM COMMITTEES.

Mr. Harlan, chairman of the committee of ways and means, made the following report :

MR. SPEAKER :

The committee on ways and means, to whom was referred bill of the House, No. 120, entitled, "a bill regulating the salaries of certain officers therein named," have had the same under consideration, and directed me to report the same back to the House, and recommend that it be indefinitely postponed ;

On motion by Mr. Edmonston,

The report and bill was laid on the table, and made the special order of the day for Thursday next.

Mr. Harlan, chairman of the committee of ways and means, made the following report :

MR. SPEAKER :

The committee of ways and means to whom was referred bill of the House, No. 56, "A bill to prevent Treasurers and other officers from receiving constructive per centage," have had the subject under consideration, and directed me to report the same back to the House, with the following amendment, in which they respectfully ask the concurrence of the House :

Strike out from the original bill all after the enacting clause, and insert the following :

That County Treasurers and other officers entrusted with the collection, care and disbursement of the revenue for State, County and Road purposes, shall not be allowed to charge or receive per centage on receipts which may be filed for payment of taxes for road purposes.

This act to take effect and be in force from and after its passage.

Which report was concurred in.

The bill as amended was then ordered to be engrossed.

Mr. Julian, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to which was referred bill of the House, No. 115, entitled "an act requiring commissioners appointed to sell real estate to give bond and take an oath," have had the same under consideration, and have directed me to report that in their opinion it is inexpedient to legislate on the subject; and the committee recommend that said bill be indefinitely postponed, and ask to be discharged from the further consideration of the subject;

Which report was concurred in.

Mr. Julian, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to which was referred bill of the House, No. 83, entitled "an act to prevent intemperance in Wayne township, in the county of Henry," have had the same under consideration, and have directed me to report the same back to the House,

without amendment, and recommend its passage ; and the committee ask to be discharged, &c. ;

Which bill was ordered to be engrossed.

Mr. Julian, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to which was referred bill of the House No. 95, entitled "A bill to incorporate the Central Plank Road Company," have had the same under consideration, and have directed me to report that in their opinion, the acceptance of the Cumberland road by the State from the General Government, will not impair the rights of the State to the two per cent fund. The prosecution of said road has for many years been abandoned, and in the opinion of your committee, will never be resumed by the Government. If the road is ever completed it must be done by the State, or by private companies incorporated by the State Legislature. Believing that the State should not engage in its completion, the committee recommend the passage of the bill without amendment, and they ask to be discharged.

Mr. Edwards moved to lay the report of the committee on the table.

The ayes and noes being demanded by Messrs. Edmonston and Meredith,

*Those who voted in the affirmative are,*

Messrs. Alexander, Buskirk, Caldwell, Casselberry, Chambers, Cravens, Edmonston, Edwards, Gillum, Graham, Hankins, James, Kelley, Mills, Osborn, Place, Rippey, Smith, Spencer and Withers —20.

*Those who voted in the negative are,*

Messrs. Allen, Barbour, Blakemore, Brady, Bryant, Bundy, Cockrum, Commons, Cotton, Cox, Dawson, Decker, Dobson, Dougherty of Boone, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Frazer, Ford, Gessie, Goodwin, Harlan, Hill, Howell, Huckleberry, Huddleston, Hughes, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Julian, Line, Lozier, Maddox, Meacham, Meredith, Miller, Morgan, Nicholson, Odell, Orr, Parker of Allen, Parker of Brown, Pierce, Rice, Risner, Riley, Ross of Miami, Ross of Wabash, Ryan, Shaw, Snook, Stanton, Starbuck, Thopson, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Winstandley, Wolfe, Wood, Young and Mr. Speaker —71.

So the report was not laid on the table.

Mr. Wolfe moved to amend the bill by inserting in the proper place :

"That the State of Indiana shall be entitled to stock in said road to the full value of all the bridges erected or work done on said road. When said road shall be completed she shall contribute to keep said road in repair in proportion to her stock; and said road shall be free for the transportation of all mails of the United States; and said road shall ever be free for the transportation of men and munitions of war, &c., either of the United States or of this State; which value or interest to the State shall be ascertained by one commissioner, to be chosen by the Governor and one by the company, whose duty it shall be to report to the Secretary of State, and to be made a part of his next report."

Mr. Huddleston moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Wolfe and Julian,

*Those who voted in the affirmative are,*

Messrs. Allen, Barbour, Blakemore, Brady Bryant, Bundy, Buskirk, Campbell, Commons, Cox, Cravens, Donnouhe, Dougherty of Boone, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Edwards, Ford, Gessie, Goodwin, Hankins, Hicks, Huddleston, Hunt, Jackman, Johnston, of Putnam, Jones of Bartholomew, Julian, Kelley, Line, Lozier, Meacham, Meredith, Miller, Morgan, Nichalson, Parker of Allen, Rifner, Riley, Ross of Miami, Ross of Wabash, Ryan, Shaw, Snook, Stanton, Starbuck, Thompson, Vance, Vawter, Wade, Webster, Winstanley, Wood and Young.—56.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Caldwell, Casselberry, Chambers, Cockrum, Cotton, Dawson, Decker, Dobson, Edmonston, Frazer, Gillum, Graham, Harlan, Hill, Howell, Huckleberry, Hughes, James, Johnson of Dearborn, Jones of Huntington, Mills, Odell, Orr, Osborn, Parker of Brown, Pierce, Place, Rice, Rippey, Smith, Spencer, Tuttle, Wilson, Withers, Wolfe and Mr. Speaker—38.

So the amendment was laid on the table.

Mr. Dunn moved to amend the bill by adding the following :

"That the State may, at any time after the expiration of twenty years from the date of this charter, purchase said road by paying the stockholders thereof all the expenses of construction incurred by said Company, with six per cent. interest thereon: *Provided*, That if the net receipts of the tolls on said road shall amount to more than six per cent. per annum, that the State may purchase the right of the stockholders therein, by paying them the cost of con-

struction without interest. And said Company is hereby required to keep an account current of all the expenses of construction and repairs and contingent expenses, and of all tolls received, and to render a full account of the same to the Legislature at any time upon a call for such account."

Which amendment was not adopted.

Mr. Johnston, of Putnam, moved to recommit the bill to a select committee composed of one member from each county through which the road is to pass.

The ayes and noes being demanded by Messrs. Edwards and Wade :

*Those who voted in the affirmative are,*

Messrs. Alexander, Caldwell, Casselberry, Chambers, Cotton Dobson, Donnohue, Dowling, Edmonston, Edwards, Gillum, Graham, Hankins, Harlan, Hill, Huckleberry, Johnston, of Putnam, Kelley, Mills, Nicholson, Orr, Osborn, Pierce, Place, Rippey, Ryan, Smith, Snook, Tuttle, Vawter, Wilson, Withers, and Mr. Speaker —33.

*Those who voted in the negative are.*

Messrs. Alden, Allen, Barbour, Blakemore, Brady, Bryant, Bundy, Buskirk, Campbell, Cockrum, Commons, Cox, Cravens, Dawson, Decker, Dougherty, of Boone, Dougherty, of Morgan, Doyle, Drake, Dunn, Frazer, Ford, Gessie, Goodwin, Hicks, Huddleston, Hughes, Hunt, Jackman, Johnson, of Dearborn, Jones, of Bartholomew, Jones, of Huntington, Julian, Line, Lozier, Maddox, Meacham, Meredith, Morgan, Parker, of Allen, Parker, of Brown, Rifner, Riley, Ross, of Miami, Ross, of Wabash, Shaw, Spencer, Stanton, Starbuck, Thompson, Vance, Wade, Webster, Wolfe, Wood, and Young—56.

So the bill was not recommitted.

Mr. Edmonston moved to amend the bill by inserting the following additional section :

"Sec. —. The President and Directors shall be individually liable for all debts contracted by said Company beyond the amount of solvent stock secured to said Company ;"

Which amendment was adopted.

Mr. Edwards moved to reconsider the vote on the amendment offered by Mr. Wolfe.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bill of the House without amendment, to-wit:

No. 20. An act for the relief of Isaac Hardy and others.

On motion by Mr. Maddox,  
The House adjourned.

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2 o'clock, P. M.

The House met.

A message from the Senate by Mr. Test, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

No. 120. An act to incorporate the Fort Wayne and Bluffton Turnpike Company.

No. 126. An act more effectually to prevent the retailing of spirituous liquors, in certain counties therein named.

No. 128. An act to incorporate the Shelbyville arm of the Shelbyville and Edinburgh Lateral Branch Rail Road Company.

No. 131. An act to amend the charter of the Indianapolis and Bellefontaine Rail Road Company.

In which the concurrence of the House of Representatives is respectfully requested.

Which were each severally read a first time and passed to a second reading.

Mr. Withers moved to suspend the order of business for the purpose of making a report from a select committee.

Which motion did not prevail.

#### HOUSE BILLS ON THIRD READING.

No. 82. A bill to incorporate the town of Lamasco City, and define the powers of the President and Trustees thereof.

No. 113. A bill in relation to the real and personal estate of John Fishli, late of Jackson county, deceased.

No. 128. An bill creating the Marion Court of Common Pleas.

No. 129. A bill to amend an act entitled, "an act to amend ar-

title 5, of chapter 45, of the Revised Code of 1843," approved February 16, 1848.

No. 131. A bill to amend the practice in chancery.

Were each severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Buskirk,

The House took from the table, "No. 127, a bill to repeal an act, entitled, an act providing the opening and repairing public roads and highways in the county of Monroe," approved February 3, 1841, and for other purposes.

On motion by Mr. Buskirk,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

#### SENATE BILLS ON THIRD READING.

No. 45. A bill authorizing David Moss to sell certain stone in Hamilton county.

No. 53. A bill to incorporate the Fair Play Fire Engine and Hose Company, of the city of Madison.

No. 56. A bill to change the name of Emeline Grubb.

No. 57. A bill to legalize the sale of certain school sections therein named.

No. 63. A bill to amend the several acts now in force incorporating the town of Greensburg.

No. 65. A bill to incorporate the Brookville and Fairfield Turnpike Company.

No. 72. A bill to amend an act entitled, "an act to incorporate the Crawfordsville and Wabash Railroad Company," approved 19th January, 1846.

No. 73. A bill relative to the sale of school lands in certain counties therein named, and to amend article 13, chapter 13, of Revised Statutes of 1843.

No. 75. A bill to incorporate the General Association of Baptist in Indiana.

No. 78. A bill for the relief of William Armstrong.

No. 85. A bill for the relief of Lavina Whisler.

Were each severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Meredith,

The order of business was suspended for the purpose of allowing him to make a report.

Mr. Meredith, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred, the petition of William Hawkins, relative to amending the town plot of Cambridge City, have had the same under consideration, and directed me to report a bill and recommend its passage, and the committee ask to be discharged from the further consideration of the subject.

No. 179. A bill to amend the plot of Cambridge City.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Buskirk,

The order of business was suspended for the introduction of bills.

Mr. Buskirk introduced,

No. 180. A bill for the relief of Solomon May, Sen.

Which was read a first time and passed to a second reading.

Mr. Osborn introduced,

No. 181. A bill to change the venue in certain cases therein named from the county of Marion to the county of Knox.

Which was read a first time and passed to a second reading.

Mr. Smith introduced,

No. 182. A bill to provide for the election of township Assessors in the county of Scott.

Which was read a first time and passed to a second reading.

Mr. Blakemore, from a select committee, (on leave) made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to whom was referred the report of the Superintendent of the Northport feeder dam, have had the same under consideration and have directed me to report to this House, the following bill and recommend its passage :

No. 183. A bill to authorize the letting of the water power at the Northport feeder dam, in Noble county, and for other purposes ;

Which was read a first time and passed to a second reading.

On motion by Mr. Edmonston,

The order of business was suspended for the purpose of calling upon committees for reports.

The bill reported back from the committee on the judiciary, came up for the consideration of the House, entitled as follows :

No. 95. A bill to incorporate the Central Plank Road Company ;

The question being on the motion of Mr. Edwards, to reconsider the vote on laying the amendment of Mr. Wolfe on the table,

On motion by Mr. Edmonston,  
The bill and pending motion was laid on the table.

Mr. Dawson, from the committee on the judiciary, made the following report:

**MR. SPEAKER:**

The committee on the judiciary, to whom was referred bill of the House, No. 125, entitled "A bill amending sections 40 & 42, chapter 28, Revised Statutes of 1843," have had the same under consideration and have directed me to report the same back to the House, without amendment, and recommend that it be indefinitely postponed.

Which report was concurred in.

Mr. Dawson, from the committee on the judiciary, made the following report:

**MR. SPEAKER:**

The committee on the judiciary, to whom was referred bill of the House, No. 134, entitled "An act to repeal the latter part of the 16th section of the 10th chapter of Revised Statutes of 1843, in reference to notices to non-residents," have had the same under consideration, and have directed me to report the same back to the House, and respectfully recommend its passage.

Which bill was ordered to be engrossed.

Mr. Dawson, from the committee on the judiciary, made the following report:

**MR. SPEAKER:**

The committee on the judiciary, to whom was referred bill of the House, No. 93, entitled "A bill relative to county Surveyors," have had the same under consideration and have directed me to report the same back to the House, and recommend that it be indefinitely postponed.

Which report was concurred in.

Mr. Dawson, from the committee on the judiciary, made the following report:

**MR. SPEAKER:**

The committee on the judiciary, to whom was referred resolution of the House, enquiring into the expediency of declaring more fully by law, the true intent and meaning of an act entitled "An act, de-

fining the duties of county Treasurers, in certain cases," approved, January 13, 1845, have had the same under consideration and have directed me to report the following bill and respectfully recommend its passage :

No. 184. A bill declaring the true intent and meaning of an act entitled "An act defining the duties of county Treasurers, in certain cases," approved January 13, 1845 ;

Which was read a first time and passed to a second reading.

Mr. Maddox, from the committee on the judiciary, made the following report :

**MR. SPEAKER :**

The committee on the judiciary, to whom was referred the resolution of the House, to "inquire what amendments, if any, of the laws now in force, regulating the election, duties and compensation, of Prosecuting Attorneys of the several counties of this State, are necessary," have had the same under consideration and have directed me to report that no amendments of the laws now in force, on that subject, are necessary—the existing laws are entirely sufficient. The committee ask to be discharged, &c.

Which report was concurred in.

Mr. Maddox, from the committee on the judiciary, made the following report :

**MR. SPEAKER :**

The committee on the judiciary, to whom was referred bill No. 154, entitled "A bill to amend the 50th chapter of the Revised Statutes of 1843," have had the same under consideration and have instructed me to report the same back to the House, and respectfully recommend that it be indefinitely postponed. The committee ask to be discharged.

Which report was concurred in.

Mr. Maddox, from the committee on the judiciary, made the following report :

**MR. SPEAKER :**

The committee on the judiciary, to whom was referred bill of the House, No. 117, entitled "An act to reduce the number of Grand Jurors in the county of Greene, and for other purposes," after maturely deliberating upon the same, have directed me to report the bill back to the House and recommend that it be indefinitely postponed. The committee ask to be discharged, &c.

Which report was concurred in.

Mr. Alexander, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to which was referred a resolution of the House instructing said committee to enquire into the expediency of so amending the road laws as to equalize taxation for road purposes fairly among residents and non-residents of the State, which was reported on by said committee as inexpedient to legislate thereon, and the resolution was recommitted by the House to the same committee, and they have had the same under consideration and have again directed me to report that in their opinion it is inexpedient to legislate thereon, and ask to be discharged from the further consideration of the same.

Which report was concurred in.

Mr. Edmonston chairman of the committee on corporations made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the Senate No. 16, entitled "an act to amend the act incorporating the Harrison, New Trenton, Rochester and Brookville Turnpike company," have had the same under consideration, and directed me to report the same back to the House without amendment and recommend its passage.

Which bill was ordered to a third reading.

Mr. Edmonston chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the Senate No. 25, entitled "an act to incorporate the Cross Plains and Laughery Turnpike company," have had the same under consideration, and directed me to report the same back to the House, with one amendment, when adopted they recommend its passage.

Amend as follows :

Sec. — The President and Directors of said company shall be liable in their individual capacity for all debts contracted in the prosecution of said work beyond the amount of stock secured to the corporation, and the legislature reserves the right to alter, amend or repeal this charter, when any of its privileges shall be violated by said company ;

Which amendment was adopted.

The bill as amended was then ordered to a third reading.

Mr. Edmonston chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporation to whom was referred bill of Senate No. 8, entitled an act to incorporate the Richmond and Williamsburg Turnpike company, have had the same under consideration, and direct me to report the same back to the House, with one amendment, when adopted recommend its passage.

Amend as follows,

Sec. — The President and Directors are individually responsible for all debts contracted by said company above the amount of solvent stock secured to the company ;

Which amendment was concurred in.

The bill as amended was then ordered to a third reading.

Mr. Edwards from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to which was referred bill of the Senate No. 48, entitled "an act authorizing the construction of plank roads," have had the same under consideration, and directed me to report the same to the House, with the following amendments, and upon their being adopted to recommend its passage.

Amend by striking out at the end of section 11, the words "in some newspaper printed in Indianapolis," and insert by posting three written or printed notice, at the most conspicuous places near where the road is proposed to be located, and one at the Court House of said county.

Amend further by adding the following sections,

Sec. 23. The Directors of any company that may be formed under the provisions of this act, shall be liable in their individual property, for any debt they may contract in the name of any company as aforesaid.

Sec. 24. The Legislature reserves the right to alter, amend or repeal this act when it shall be deemed conducive to public good.

Which amendments were concurred in.

The bill as amended was then ordered to a third reading.

Mr. Edwards from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to which was referred Senate bill No. 19, entitled "an act to amend an act entitled an act to reduce the law incorporating the city of Madison and the several acts amendatory thereto, into one act and to amend the same," approved February 14th, 1848, have had the same under consideration, and directed me to report the bill to the House without amendment, and recommend its passage.

Which bill was ordered to a third reading.

Mr. Spencer from the committee on corporations made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the Senate No. 18, entitled "a bill to incorporate the Laporte Iron Manufacturing Company," have had the same under consideration, and directed me to report the same back to the House one amendment, when adopted they recommend its passage.

Amend as follows :

Sec. —. The President and Directors shall be liable in their individual capacity for all debts contracted by the corporation, over and above the amount of solvent stock secured to the company, and the Legislature reserves the right to alter, amend, or repeal the charter when any of its provisions shall be violated.

Which amendment was concurred in.

The bill as amended was then ordered to a third reading.

Mr. Ryan, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill No. 110, entitled "an act incorporating the Perrysville and Danville, and Perrysville and Georgetown Plank Road Company," have had the same under consideration, and directed me to report the same back with the following amenement, when adopted recommend its passage:

Amend as follows :

The directors of said company shall be individually liable for all debts contracted in any amount over and above the solvent stock of said company at the time the said contracts were made, and the Legislature reserves the right to alter, amend, or repeal this charter when the franchises shall prove oppressive to the community in which they shall be exercised, or shall have been violated by said company.

Which amendment was concurred in.

The bill as amended was then ordered to be engrossed.

Mr. Ryan, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill No. 124, entitled "an act to incorporate the Covington Drawbridge Company," have had the same under consideration, and directed me to report the same back with the following amendment, when adopted recommend its passage:

Amend by adding the following section :

Sec. —. The directors of the company hereby incorporated, shall be individually liable for all debts contracted by said directors, in amount exceeding the solvent stock of said company at the time such contracts were made, and the Legislature reserves the right to alter, amend, or repeal this charter when the franchise shall prove oppressive to the community in which they shall be exercised, or shall have been violated by said company.

Which amendment was concurred in.

The bill as amended was then ordered to be engrossed.

Mr. Dougherty, of Morgan, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred House bill No. 106, "an act incorporating the Moscow and Bloomington Turnpike company," have had that subject under consideration, and have instructed me to report the bill back to the House with one amendment in which they ask the concurrence of the House, and if so concurred in, they recommend its passage.

Amend section 20th by adding as follows :

And the President and directors of said company shall be liable in their individual property for all debts of said incorporation by them contracted, over and above the solvent stock of said company.

Which amendment was concurred in.

The bill as amended was then ordered to be engrossed.

Mr. Dougherty, of Boone, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred House bill No. 146, entitled "a bill to incorporate the Mt. Carmel and Har-

rison Turnpike Company," have had the same under consideration, and have directed me to report the same back to the House with the the following amendment, in which they ask the concurrence of the House, and if so concurred in, they recommend its passage :

Amend the 20th section as follows:

And the President and Directors of this company are hereby made liable individually for all debts of the corporation by them contracted, over and above the solvent stock of said company.

Which amendment was concurred in.

The bill as amended was then ordered to be engrossed.

Mr. Ryan, chairman of the committee on the State Library, made the following report :

MR. SPEAKER :

We, the committee on the State Library, to whom was referred Senate bill, No. 49, entitled "An act relative to the Law Library," have had the same under consideration, and report the same back without amendment, and recommend its passage.

Mr. Edmonston moved to indefinitely postpone the bill.

The ayes and noes being demanded by Messrs. Edmonston and Wolfe :

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Blakemore, Caldwell, Campbell, Cas-selberry, Chambers, Cockrum, Commons, Cravens, Dawson, Decker, Dobson, Donnohue, Dougherty, of Boone, Dougherty, of Morgan, Dowling, Doyle, Drake, Edmonston, Edwards, Frazer, Ford, Gillum, Graham, Hankins, Harlan, Hicks, Hill, Howell, Huckleberry, Hud-dleston, Hughes, James, Johnson, of Dearborn, Johnston, of Putnam, Jones, of Bartholomew, Jones, of Huntington, Kelley, Line, Lozier, Maddox, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Par-ker, of Brown, Parker, of Allen, Pierce, Place, Risner, Riley, Rippey, Ross, of Wabash, Rousseau, Shaw, Smith, Snook, Spencer, Stanton, Starbuck, Thompson, Tuttle, Wade, Webster, Wilson, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—75.

*Those who voted in the negative are,*

Messrs. Allen, Barbour, Brady, Bryant, Bundy, Buskirk, Cotton, Dunn, Goodwin, Meredith, Ross, of Miami, Ryan, and Vawter—13.

So the bill was indefinitely postponed.

Mr. Barbour, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred bill of the House, No. 26, recommend its passage :

No. 26. A bill to authorize the judge of the probate court of St. Joseph county to grant and try writs of *habeas corpus*, and for other purposes ;

Which was read a second time, and ordered to be engrossed.

On motion by Mr. Miller,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Barbour, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred resolution of the House instructing them to inquire whether justices of the peace in the several counties in this State have jurisdiction of all breaches of the license law, have examined the matter, and believing that in some of the counties of this State having special license laws jurisdiction of those offences is not given to justices of the peace, have instructed me to prepare and report the accompanying bill, and recommend its passage :

No. 185. A bill relative to the jurisdiction of justices of the peace in criminal cases ;

Which was read a first time, and passed to a second reading.

Mr. Barbour, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to which was referred resolution of the House instructing them to inquire into the expediency of so changing the 36th section, chapter 7. of the Revised Statutes, as to authorize the court trying an offence under that section to assess a less fine than fifty dollars, have considered the subject, concurred in the object of the resolution, and instructed me to report the accompanying bill, and recommend its passage :

No. 186. A bill in relation to official misconduct of county commissioners ;

Which was read a first time, and passed to a second reading.

Mr. Ford, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was recommitted bill of the House, No. 187, with instructions to so amend the bill as to make it the duty of the County Commissioners of each county to fix the time when the Treasurers of the different counties shall meet the people for the purpose of collecting taxes, have had the same under consideration, and have directed me to report the following bill, according to instructions, and recommend its passage :

No. 187. A bill in relation to the collection of taxes ;

Which was read the first time, and ordered to a second reading.

Mr. Webster, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill, No. 34, have had the same under consideration, and have directed me to report the same back to the House, and recommend the adoption of the same :

No. 34. A bill to regulate the fees and salaries of certain officers of Delaware county ;

Amend by adding the following additional section :

"Sec. 7. This act shall not be taken or construed as an intimation that the people of the said county of Delaware are too poor to pay their officers the usual fees ;

Which amendment was concurred in.

Mr. Orr offered the following amendment :

Add at the end of the 6th section the following—

"So far as relates to the county of Delaware."

Which was adopted.

On motion by Mr. Wolfe,

The vote on concurring in the amendment reported by the committee was reconsidered.

The question then being on concurring in the amendment reported by the committee,

Was decided in the negative.

Mr. Allen moved to lay the bill on the table, which motion did not prevail.

Mr. Webster moved to postpone the consideration of the bill until Monday next, and make it the special order for that day, which motion did not prevail.

Mr. Orr offered the following amendment :

Strike out the words "as Treasurer," where they first occur in the

second section, and insert the following, "in the collecting and disbursing the State and county revenue."

Insert at the end of section five the following:

*"Provided, however,* That nothing contained in this section shall be so understood as to prevent said auditor from collecting any perquisites paid by individuals;"

Which amendments were adopted.

The bill as amended was then ordered to be engrossed.

Mr. Withers, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred bill of the House No. 30, providing for the election of township assessors and collectors in Pike county, have had the same under consideration and direct me to report the same back to the House with one amendment, which when adopted they recommend its passage.

No. 30. A bill to provide for the election of township assessors and collectors in Pike county.

Amend by striking out from the enacting clause, and insert the following:

Sec. 1st. That the qualified voters of the several counties in this State shall elect one township assessor in each township in each county, at the spring elections succeeding the expiration of the term of service of the present county assessors, and every annual spring election thereafter, and such township assessors when so elected, shall hold his office for the term of one year, and until his successor is elected and qualified.

Sec. 2nd. When any vacancy shall happen in the office of township assessor in any of said counties, from any cause, the county auditor of such county shall fill such vacancy, who shall hold his office until the next annual election.

Sec. 3rd. The township assessor elected under the provisions of this act, shall in all respects be governed by the law that is now in force in this State in relation to county assessors, so far as the same does not conflict with the provisions of this act, and shall receive for their services one dollar and fifty cents per day, for each day employed in taking the assessment, copying and returning the same to the county auditors office, which return shall be accompanied with a statement of the number of days so employed, and verified by oath or affirmation of the assessor claiming the allowance therefor, which oath shall be administered by the county auditor.

Sec. 4th. Every township assessor shall between the first Monday of May and the first Monday of June annually, take an assessment of all the property in his township subject to taxation, in the same manner as county assessors are now required to do by law,

and shall return the same to the office of the county auditor of said county, on the first Monday in June, annually.

Sec. 5th. Said township assessors shall meet at the auditors office on said first Monday of June in each year, and together with the county auditor and county commissioners, shall form a board of equalization, to compare and equalize the county assessment, which when so equalized, shall be ordered on file in the office of the county auditor.

Sec. 6th. The township assessors elected under the provisions of this act, shall before entering upon the discharge of the duties of their office, give bond with surties to be approved of by the county auditor, in a sum to be fixed by him payable to the State of Indiana, for the faithful performance of their duties, which bond shall be filed in the auditors office, and shall also take an oath, as now required by county assessors.

Sec. 7th. This act to take effect and be in force from and after its passage.

Mr. Buskirk moved to lay the report and bill on the table, which motion prevailed.

Mr. Gillum, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of John Guthrie, praying for a divorce, have had the same under consideration and a majority have directed me to report the following bill.

No. 188. A bill for the relief of John Guthrie ;

On motion by Mr. Hill,  
The bill was rejected.

Mr. Pierce, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred, House bill No. 139, also, Senate bill No. 13, have had the same under consideration, and have directed me to report the Senate bill back to the House, with the following amendment, add the county of Elkhart, and when so added recommend its passage.

No. 13. A bill to authorize the election of township Assessors in the county of Jay.

Which amendment was concurred in.

The bill as amended was then ordered to a third reading.

Mr. Wolfe, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred, House bill No. 31, an act to amend the 40th chapter of the Revised Statutes of 1843,

in reference to actions of tort, have had the same under consideration, and have amended said bill, by striking all out after the enacting clause and insert what there follows, and when so amended recommend its passage, and ask to be discharged from any further consideration of the subject.

"That hereafter in all actions of tort, commenced in the Circuit Courts in this State, against any person living out of the county in which suit may be commenced, when the plaintiff shall not have filed with the Clerk, before the commencement of the suit, a bond with security, approved by the Clerk, payable to the defendant, conditioned for the payment of all costs in the suit about to be commenced, in case judgment go against him in said court, it shall be the duty of the court, when it shall be made to appear by the affidavit of the defendant, filed in court, that he is not a resident of the county, wherein the suit is commenced, to order the case to be sent to the county where the defendant may reside, and order the Clerk to certify and transmit the papers in the case accordingly.

Sec. 2. All laws contravening the provisions of this act, be, and the same are hereby repealed.

Sec. 3. This act to be in force from and after its passage.

Which amendment was concurred in.

The question then recurring on the engrossment of the bill, was decided in the negative.

Mr. Wood, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred, bill of the House No. 174, an act defining the boundaries of the county of Blackford, have had the same under consideration, and report the bill back to the House, without amendment, and recommend its passage.

Mr. Ross of Miami moved that the House adjourn,  
Which motion did not prevail.

The question being on the engrossment of the bill,  
Was decided in the affirmative.

On motion by Mr. Edmonston,  
The House adjourned.

MONDAY MORNING, JAN. 1, 1849.

The House met.

A message from the Senate by Mr. Orth, a Senator:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment, to-wit:

No. 62. An act to amend an act entitled, "an act to incorporate the Kosciusko, Elkhart and Miami Rail Road Company.

No. 67. An act for the relief of Aaron Wheeler of Laporte county.

No. 68. An act authorizing the election of an additional justice of the peace in Adams township, in Morgan county.

No. 84. An act for the relief of Christian Aigner.

No. 86. An act to locate a State road from Fairfax, in Morgan county, to Finley's Mills, in Jackson county.

No. 92. An act to authorize the county Commissioners of Laporte county to borrow money, and for other purposes.

No. 98. An act to authorize Zebina Warriner of Decatur county to file a bill in chancery.

No. 100. An act for the relief of Matthew McPhitredge, of the county of Monroe.

No. 108. An act relative to the Board of Commissioners of the county of Boone.

No. 116. An act to change the mode of doing county business in the county of Warrick, from Justices of the Peace to Commissioners.

No. 121. An act to authorize the Probate Court of Bartholomew county to sit two weeks at its February term.

No. 122. An act extending the time of working roads and highways in the county of Clay.

No. 123. An act to change the name of the town of Fleenerburgh in the county of Monroe, to that of Unionville, and for other purposes.

No. 144. An act to repeal an act therein named, so far as the same relates to Owen county.

No. 148. An act to provide for the selection of petit jurors in the county of Jackson.

No. 149. An act relative to the Commissioners of the Western Division of the Buffalo and Mississippi Rail Road Company.

## PETITIONS &amp;C. PRESENTED.

By Mr. Wood,

The petition of citizens of Huntsville, Randolph county, to change the name of their town to Trenton ;

Which,

On motion,

Was referred to a select committee, consisting of, Messrs. Wood, Howell, and Lozier.

By Mr. Brady,

The petition of Robert Earl, of Marion county ;

Which,

On motion,

Was referred to the committee on canals and internal improvements.

By Mr. Webster,

The petition of citizens of Noble county to legalize acts of county commissioners in relation to roads ;

Which,

On motion by Mr. Webster,

Was referred to the committee on the judiciary.

By Mr. Hughes,

The petition of James Malosh, of Pulaski county, for a divorce from Mary Malosh, his wife ;

Which,

On motion,

Was referred to a select committee, consisting of, Messrs. Hughes, Dowling, and Tuttle.

On motion by Mr. Hughes,

Mr. Meredith was added to said committee.

By Mr. Cockrum,

The petition of citizens of Gibson county, praying for the repeal of an act entitled "an act to provide for the opening and repairing roads and highways in the counties of Gibson and Pike," approved January 31, 1842, and extending to said county the general laws in relation to roads and highways ;

Which,

On motion,

Was referred to a select committee, consisting of, Messrs. Cockrum, Withers, and Edmonston.

By Mr. Miller,

The petition of one hundred and forty-nine citizens of St. Joseph county, praying that certain territory in said county may be attached to the county of Laporte ;

Which,

On motion,

Was referred to a select committee, consisting of, Messrs. Miller, Hunt, and Place.

By Mr. Stanton,

The petition of John S. Newman and others, citizens of Wayne county, praying that all funds raised by taxation, for the purpose of free schools, shall be paid into the county treasury of the county where raised, and expended in such county ;

Which,

On motion by Mr. Line,  
Was referred to the committee on education.

By Mr. Rippey,

The petition of Samuel Bachelor and others, citizens of Elkhart county, praying for the passage of a bill prohibiting the teaching of any other than the English language in common schools ;

Which,

On motion by Mr. Rippey,  
Was referred to the committee on education.

By Mr. Jones of Bartholomew,

The petition of citizens of Bartholomew county, for the reduction of the width of a road from Flat Rock to a certain point on the Madison and Indianapolis Railroad ;

Which,

On motion by Mr. Jones of Bartholomew,  
Was referred to the committee on roads.

By Mr. Hankins,

The petition of the President and Trustees of the town of Connerville, for the amendment of the town charter ;

Which,

On motion,  
Was referred to a select committee, consisting of,  
Messrs. Hankins, Smith, and Parker of Allen.

By Mr. Drake,

The accounts of L. P. Frazier and Isham T. Beck ;

Which,

On motion by Mr. Drake,  
Was referred to the committee on claims.

#### REPORTS FROM COMMITTEES.

Mr. Winstandley, from the committee of ways and means, made the following report :

MR. SPEAKER :

The committee of ways and means, to whom was referred the petition of sundry citizens of the county of Huntington, on the subject of the non-assessment of a poll tax, have had the same under consideration, and directed me to report that in the opinion of said committee, it would be inexpedient to grant the prayer of said petitioners, and ask to be discharged from the further consideration of the said petition.

Which report was concurred in.

Mr. Doyle, from a select committee, made the following report:

MR. SPEAKER :

The select committee to which was referred bill of the Senate No. 14, entitled "an act to amend an act entitled 'an act creating the Tippecanoe court of common pleas, and defining its jurisdiction,'" have, according to order, had the same under consideration, and instructed me to report the same to the House, with the following amendment, upon the adoption of which they recommend its passage:

Amend by striking out all after the enacting clause, in the first and second sections of said bill.

Which amendment was concurred in.

The bill as amended was then ordered to a third reading.

Mr. Doyle, from a select committee, made the following report:

MR. SPEAKER :

The select committee to which was referred bill of the Senate No. 35, entitled "an act incorporating the Lafayette Plank Road company," have, according to order, had the same under consideration, and, in pursuance of the instructions of the House, have directed me to report the same back with the following amendment, upon the adoption of which they recommend its passage:

Amend by striking out of the bill the sixth (6) and seventh (7) amendments of the House, relative to constructing said plank road of the width of sixteen feet, and the increased tolls consequent upon such width, with the exception of so much of said road commonly denominated the Black Swamp and the Soap Factory.

Which amendments were concurred in.

Mr. Snook moved to recommit the bill to the committee on corporations, with the following instructions:

To inquire if said charter does not infringe the rights of the Crawfordsville and Wabash Railroad company.

Which motion did not prevail.

The bill as amended was then read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Riley, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 102, a bill to regulate the times of holding courts in the fifth judicial circuit, have had that subject under consideration, and di-

rected me to report the following amendment: Strike out the word "six" where it occurs in the nineteenth line of the first section, and insert the word "twelve," which, when adopted, they recommend the passage of said bill;

Which report was concurred in.

On motion by Mr. Hicks,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Bundy, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sundry citizens of Henry county, praying for a charter to construct a Plank or McAdamized Road on the line of the National Road through said county, have had the same under consideration, and have instructed me to report, that in the opinion of the committee, the provisions of the charter passed at the last session of the Legislature, entitled "An act to incorporate the Henry County Turnpike Company," are amply sufficient to insure the object desired by the petitioners, when the same shall have been amended as proposed in the accompanying bill supplementary thereto, the passage of which they respectfully recommend:

No. 189. A bill to amend the act entitled "An act to incorporate the Henry County Turnpike Company," approved December 5, 1845;

Which was read a first time, and passed to a second reading.

On motion by Mr. Bundy,

The rules were suspended, and the bill read a second time, and ordered to be engrossed.

Mr. Dougherty of Morgan, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of citizens of Morgan county, praying the passage of an act vacating the town of Ventersville in said county, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 190. A bill to vacate the town of Ventersville in Morgan county;

Which was read a first time and passed to a second reading.

Mr. Webster, from a select committee, made the following report:

**MR. SPEAKER :**

The select committee to whom was referred the petition of Samuel P. Anthony and others, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 191. A bill for the benefit of officers of the county of Delaware and others ;

Which was read a first time and passed to a second reading.

Mr. Rice, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee to whom was referred the petition of sundry citizens of Crawford county praying for a divorce, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 192. A bill for the relief of John L. Jenkins ;

Which was read a first time and passed to a second reading.

Mr. Barbour, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee to whom was referred the petition of the Board of Commissioners, Auditor, and Treasurer of Bartholomew county, praying the passage of an act to legalize the assessment of taxes upon the property of Wayne township in said county, have considered the facts of the case, and instructed me to report a bill in accordance with the prayer of said petition :

No. 193. A bill to legalize the assessment of taxable property in Wayne township, Bartholomew county, for the year 1848 ;

Which was read a first time and passed to a second reading.

Mr. Ryan, from a select committee, made the following report ;

**MR. SPEAKER :**

We, the committee to whom was referred the petition of the citizens of Adams township, Madison county, praying the election of an additional justice of the peace, have had the same under consideration; and directed me to report the following bill :

No. 194. A bill authorizing the election of an additional justice of the peace in Adams township, Madison county ;

Which was read a first time and passed to a second reading.

Mr. Line, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred Senate bill No. 55, have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend its passage, and ask to be discharged from a further consideration of the subject :

No. 55. A bill to amend an act to incorporate the Fairfield Hydraulic Company ;

Which was read a second time, and ordered to a second reading.

Mr. Harlan, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of J. G. Vanhorn, and twelve others of the counties of Grant and Blackford, praying for the organization of a school districts out of certain sections therein named, have had the same under consideration, and in as much as the Revised Statutes contain ample provisions to grant the relief prayed for, I am therefore directed to report the petition back to the House, and ask that it be laid on the table, and the committee discharged from its further consideration.

Which was concurred in.

Mr. Harlan, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of James Brownlee and 91 others, praying for the location of a State road therein named, have had the same under consideration and have directed me to report the following bill and recommend its passage :

No. 195. A bill to provide for the location of a State road in Grant and Wabash counties ;

Which was read a first time and passed to a second reading.

Mr. Hankins, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred a petition of the President of the Trustees of the town of Connersville, have had the matters therein contained, under consideration and have directed me to report the following bill, and recommend its passage :

No. 196. A bill amendatory of the act incorporating the town of Connersville ;

Which was read a first time and passed to a second reading.

On motion by Mr. Stanton,

The House took from the table, bill of the Senate,  
No. 4. A bill to incorporate the Richmond and Newport Turn-  
pike Company;

The amendment offered by Mr. Edmonston was withdrawn.

The bill was read a third time, the rules having been suspended  
therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

#### RESOLUTIONS.

Mr. Odell offered the following preamble and resolution:

Whereas, There was a State road located in the year 1829, or about that time, leading from Terre Haute to Fort Wayne, which road was established and opened and became in general use.

And whereas, said road crossed Deer Creek immediately below the town of Delphi, in the county of Carroll, and that there was a good ford on said creek, at the crossing of said road, and that this part of said road remained in general use, until the aforesaid ford, on said creek, was entirely destroyed by erecting a dam across said creek, immediately below said road, for the purpose of making a feeder of said creek, for the use of the Wabash and Erie Canal. And whereas, in consequence of said dam, the travel was thrown about three quarters of a mile up said creek, for the purpose of finding a fordable point on said creek, thereby greatly increasing the distance much to the inconvenience of the traveling community; Therefore,

*Resolved*, That the committee on canals and internal improvements, be instructed to enquire whether the State, on erecting such dam, did not become in justice under obligation to construct a bridge on said road, across said creek; and if so, whether that obligation does not still exist, and that they be allowed to report by bill or otherwise.

Which were adopted.

On motion by Mr. Goodwin,

*Resolved*, That the committee on education be requested to inquire into the expediency relative to the school lands in Daviess county, that said school lands be sold without requiring any part of the purchase money to be paid at the time of sale, as the law now provides.

*Resolved further*, That said purchaser, in order to procure a certificate of purchase shall in all cases, pay seven per cent. interest in advance, on the amount of purchase money.

*Resolved further*, That the loan shall be made so as to protect any timber or other articles of value on said land, until final payment be made.

Mr. Line offered the following resolution:

*Resolved*, That the House will go into committee of the whole on this day, at 2 o'clock, P. M. on the school bill.

Mr. Frazer moved to amend by striking out "this day, at 2 o'clock P. M." and inserting "to-morrow at 10 o'clock, A. M."

Which amendment was accepted by Mr. Line.

The resolution as then amended was then adopted.

On motion by Mr. Dunn,

*Resolved*, That the State Librarian is hereby directed to return to this House the engrossed bill of last session, No 157, for the incorporation of the Madison and Cross plains Turnpike Company.

On motion by Mr. Bundy,

*Resolved*, That the committee of ways and means be instructed to enquire whether any, and if so, what amendments are necessary to the present revenue laws, to ensure a more equal assessment of personal property, including corporation stock, money at interest, and money on hand, and that they have leave to report by bill or otherwise.

Mr. Frazer introduced the following resolution :

*Resolved*, That the resolution heretofore passed, requiring the House to proceed to the consideration of the orders of the day on each day, at 2 o'clock, P. M., be and the same is hereby rescinded..

Which, under the rule, lies over for one day.

Mr. Maddox offered the following resolution :

*Resolved*, That all applications for "divorce" by petition, bill, or otherwise, now pending before this House, and undecided, be made the special order of the day for this afternoon at 3 o'clock, in committee of the whole House ;

Which was not adopted.

Mr. Bundy moved that the House adjourn ;

Which motion did not prevail.

On motion by Mr. Blakemore,

*Resolved*, That the committee on ways and means be directed to enquire into the expediency of laying a tax on dogs, in cases where any citizen or family may own more than one.

#### BILLS, &c. INTRODUCED.

Mr. Campbell introduced

No. 196. A bill to amend an act entitled "An act to authorize the election of a justice of the peace and a constable in the town of New Trenton, in the county of Franklin.

On motion by Mr. Line,

The rules were suspended, and the bill read three several times and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Lozier introduced

No. 198. A joint resolution in relation to mileage of members of Congress.

Mr. Webster introduced

No. 199. A joint resolution in relation to State instruments.

Mr. Spencer introduced

No. 200. A joint resolution on the subject of donating lands by the general government.

Mr. Dunn introduced

No. 201. A joint resolution on the subject of publishing the laws of the present session.

Which were each severally read a first time and passed to a second reading.

Mr. Edwards introduced

No. 201. A bill to amend an act entitled "An act to incorporate the Terre Haute and Richmond Railroad Company," approved Jan. 26, 1847, and an act amendatory thereto, approved February 16, 1848;

Which was read a first time, and,

On motion by Mr. Edwards,

The rules were suspended and the bill read a second and third times and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Dobson introduced

No. 203. A bill to alter the time of holding circuit courts in Owen and Brown counties;

Which was read a first time and passed to a second reading.

Mr. Morgan introduced

No. 204. A bill to amend "an act extending the jurisdiction of justices of the peace in certain criminal cases," approved Feb. 16, 1848;

Which was read a first time, and,

On motion by Mr. Morgan,

The rules were suspended, and the bill read a second and third times and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Brady introduced

No. 205. A bill for the relief of B. B. McFarlan, Cephas and Henry McFarlan, late of the United States army in Mexico;

Which was read a first time, and,

On motion by Mr. Brady,

The rules were suspended, and the bill read a second time, and referred to the committee of ways and means.

Mr. Goodwin introduced

No. 206. A bill defining the duties of congressional township in Daviess county.

Mr. Jackman introduced

No. 207. A bill to authorize Oliver S. Pitcher to sell certain real estate.

Mr. Blakemore introduced

No. 208. A bill to confirm a certain change in the Michigan road in Cass county.

Mr. Ryan introduced

No. 209. A bill to repeal an act therein named.

Mr. Young introduced

No. 210. A bill to compel speculators to pay a road tax equal to that paid by actual settlers in the county of Tipton, and for other purposes.

Mr. Vawter introduced

No. 211. A bill to change the time of holding circuit courts in the counties of Jennings and Bartholomew.

Mr. Withers introduced,

No. 212. A bill more effectually to protect the property of married women;

Mr. Casselberry introduced,

No. 213. A bill to amend the 105th section of chapter 16 of the Revised Statutes of 1843;

Mr. Jones, of Huntington, introduced,

No. 214. A bill to re-survey and re-locate so much of the Indianapolis and Fort Wayne State road as lies within the counties of Grant, Wells and Huntington;

Mr. Miller introduced,

No. 215. A bill in relation to road tax in St. Joseph county;

Mr. Commons introduced,

No. 216. A bill to incorporate the Washington Turnpike Company;

Mr. Tuttle introduced,

No. 217. A bill to legalize certain acts of the Auditor of Marshall county;

Mr. Decker introduced,

No. 218. A bill to authorize speculators of Wells county to levy an additional road tax when necessary;

Mr. Tuttle introduced,

No. 219. A bill to repeal an act entitled "an act to repeal an act defining the duties of County Treasurers, passed January 13, 1845," approved February 14, 1848, relative to the counties of Fulton and Marshall;

Mr. Hunt introduced,

No. 220. A bill for the relief of Andrew Shaw;

Mr. Hicks introduced,

No. 221. A bill to change the name of the Ciceronian Society of the Franklin College, to the name of *Alpha Pi*;

- Mr. Julian introduced,  
No. 222. A bill to increase the salary of the Probate Judge of Wayne county ;
- Mr. Tuttle introduced,  
No. 223. A bill relative to roads in Marshall, Fulton and Starke counties ;
- Mr. Odell introduced,  
No. 224. A bill to incorporate the Delphi and Frankfort Plank Road, and Turnpike Company ;
- Mr. Ross, of Miami, introduced,  
No. 225. A bill to amend an act entitled "an act to regulate the signing of bills of exceptions in the Circuit Courts," approved February 16th, 1848 ;
- Mr. Rice introduced,  
No. 226. A bill to exempt the property of invalids from taxation ;
- Mr. Line introduced,  
No. 227. A bill to incorporate the Greensburgh and Brookville Turnpike Company ;
- Mr. Buskirk introduced,  
No. 228. A bill defining the duty of the Board of Commissioners of the county of Monroe ;
- Mr. Orr introduced,  
No. 229. A bill to equally distribute the Local and General Laws of this State ;
- Mr. Dowling introduced,  
No. 230. A bill to amend an act entitled "an act appointing a board of superintendents, to superintend the changing of the channel, or leveeing of the banks of Jordan Creek in Vigo county, and for other purposes," approved January 15th, 1846 ;
- Mr. Drake introduced,  
No. 231. A bill to amend "an act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the Board of Internal Improvements, and the offices of Fund Commissioner and Chief Engineer," approved January 28th, 1842 ;
- Which were each severally read a first time, and passed to a second reading.
- Mr. Vance introduced,  
No. 332. A bill to extend the jurisdiction of justices of the peace in Allisonville, Marion county ;
- Which was read a first time and passed to a second reading.
- On motion,
- The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.
- Mr. Harlan introduced,  
No. 233. A bill levying a tax on the inhabitants of the town of Marion and the addition thereto, and upon persons owning real estate therein.

Mr. Harlan introduced,

No. 234. A bill relative to the pay of the probate judge of the county of Grant.

Mr. Wolfe introduced,

No. 235. A bill defining the mode of appointing trustees of the county library of Sullivan county;

Which were each severally read a first time and passed to a second reading.

On motion by Mr. Cox,

The order of business was suspended.

Mr. Cox from a select committee made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of the county of Rush in relation to the collection of debts, have had the same under consideration, and directed me to report the following bill and recommend its passage, and the committee ask to be discharged from the further consideration thereof.

No. 236. A bill to extend the jurisdiction of justices of the peace in the county of Rush;

Which was read a first time and passed to a second reading.

On motion by Mr. Brady,

The vote on the engrossment of the following named bill was reconsidered:

No. 31. A bill to amend the 40th chapter of the Revised Statutes of 1843.

On motion by Mr. Allen,

The bill was recommitted to the committee on the judiciary with the following instructions:

Amend the same so that the suit may be instituted in the county where the tort was committed, and further that when the defendant is not a resident of the State of Indiana, suit may be instituted in any county in the State.

On motion,

The House adjourned to meet to-morrow at 9 o'clock, A. M.

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TUESDAY MORNING, JAN. 2, 1848.

The House met.

On motion by Mr. Drake,

The reading of the journal was dispensed with.

Mr. Starbuck moved to suspend the order of business for the purpose of giving the committee on corporations an opportunity to make a report,

Which motion did not prevail.

PETITIONS, &c., PRESENTED.

By Mr. Ford,

The petition of John J. Kester and 19 others of the county of Jackson, praying the Legislature to repeal all laws authorizing the sale of liquors, and that the sale thereof be declared a high crime and punishable by confinement in the State Prison for not less than one year;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Ford, Cravens and Wilson.

By Mr. Kelley,

The temperance memorial of Aaron Richardson and others, citizens of Ripley county;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Kelley, Place, and Osborn.

By Mr. Wood,

The petition of citizens of Randolph county, praying for the passage of a bill giving exclusive jurisdiction in all misdemeanors which are punishable by fine only;

Which,

On motion by Mr. Wood,

Was referred to the committee on the judiciary.

By Mr. Huckleberry,

The petition of mechanics and citizens of Jeffersonville praying for the passage of a bill to amend "an act to lease the Indiana State Prison and for other purposes," approved January 26, 1846, making it lawful for the lessee to work the convicts outside the walls of the State Prison;

Also, a remonstrance against granting the prayer of the petitioners;

Which,

On motion,

Was referred to the committee on the affairs of the State Prison.

By Mr. Odell,

The temperance memorial of Wilson Smith and others, citizens of Carroll county;

Which,

On motion by Mr. Odell,

Was referred to the committee on benevolent and scientific institutions.

By Mr. Odell,

The petition of Benjamin F. Brough of Carroll county ;  
Which,

On motion by Mr. Odell,

Was referred to the committee on the judiciary.

By Mr. Huckleberry,

The petition of T. Ware Gibson and one hundred others, citizens of Charlestown, Clark county, praying for the passage of an act authorizing the New Albany and Salem Railroad company to extend a branch road to Charlestown ;

Which,

On motion,

Was referred to the same select committee to whom was referred bill of the Senate No. 86, viz: Messrs. Winstandley, Caldwell, Huckleberry, Cravens and Thompson.

By Mr. Bundy,

The petition of the citizens of Greensboro' township, in the county of Henry, praying for the enactment of a law prohibiting the sale of intoxicating liquors in said township ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Bundy, Risner and Hunt.

A message from the Senate by Mr. Randall, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the amendments of the House to the following bills of the Senate, viz:

No. 35. An act incorporating the Lafayette Plank Road Company ;

No. 63. An act to amend the several acts now in force incorporating the town of Greensburg ;

No. 73. An act relative to the sale of school lands in certain counties therein named, and to amend article 13, chapter 13, of the Revised Statutes of 1843.

#### REPORTS FROM COMMITTEES.

Mr. Julian, from the committee on the Judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to which was referred joint resolution of the Senate, No. 26, have had the same under consideration, and

have directed me to report the same back to the House with the following amendment, and recommend its passage, and the committee ask to be discharged from the further consideration of the subject:

No. 26. A joint resolution on the Independence of Liberia;

Amend by striking out the following portion of the preamble, to-wit:

"And whereas, the time has fully come when the United States should make some return to the African race for its long term of service and the abundant labor it has performed for the people of the United States;"

Which amendment was concurred in.

The joint resolution, as amended, was then ordered to a third reading.

Mr. Julian, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee, to which was referred the petition of James Armstrong and others, praying certain changes in the laws punishing persons for keeping nuisances, have had the same under consideration, and have directed me to report the following bill and recommend its passage. Bill of the House, No. 232, they ask may be laid upon the table; and the committee ask to be discharged from the further consideration of the subject.

No. 237. A bill to amend an act, entitled "An act to extend the jurisdiction of justices of the peace in certain cases," approved Feb. 16, 1848;

Which was read a first time, and passed to a second reading.

Mr. Dunn, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The committee on the judiciary to whom was referred House bill, No. 50, and certain instructions respecting the same, have had said bill and instructions under consideration, and have instructed me to report said bill back with one amendment, and to recommend the adoption of said amendment and the passage of the bill when so amended:

Strike out all of said bill from the enacting clause, and insert the following—

"That no suit shall hereafter be brought in any of the courts of this State against the surety or sureties of the official bond of any State or county officer within this State, whereby to charge such surety or sureties for any misfeasance, malfeasance, nonfeasance,

or default of such officer in the discharge of the duties of his office, unless the same be commenced within six years next after the expiration of the term of service of such officer during which the cause of action accrued.

"Sec. 2. The foregoing limitation is made, and hereby declared to be subject to all the exceptions, conditions, and provisions contained in sections 109, 110, 111, 112, 116, and 117 of chapter 40 of the Revised Statutes of 1843, so far as the same may be applicable to suits instituted against sureties as aforesaid.

"Sec. 3. That in all cases where a cause of action shall have accrued before the passage of this act against such surety or sureties, and the term of service of their principal may have expired, the person or persons to whom such cause of action may have accrued may commence his action at any time within six years after the passage of this act.

"Sec. 4. This act to take effect and be in force from and after its passage."

Which amendment was concurred in.

Mr. Barbour moved to lay the bill on the table.

The ayes and noes being demanded by Messrs. Wolfe and Parker, of Brown :

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Barbour, Blakemore, Bryant, Bundy, Casselberry, Dobson, Dougherty, of Boone, Dougherty, of Morgan, Gessie, Graham, Hankins, Hendricks, Hill, Howell, Hunt, Jones, of Bartholomew, Jones, of Huntington, Kelley, Line, Maddox, Meacham, Miller, Morgan, Odell, Orr, Osborn, Parker, of Brown, Place, Rice, Rifner, Ross, of Wabash, Smith, Spencer, Thompson, Tuttle, Winstandley, Withers, Wolfe, and Wood—41.

*Those who voted in the negative are,*

Messrs. Allen, Brady, Buskirk, Caldwell, Campbell, Chambers, Commons, Cotton, Cox, Cravens, Dawson, Decker, Donnohue, Dowling, Doyle, Drake, Dunn, Edmonston, Edwards, Frazer, Ford, Gil-lum, Goldsberry, Goodwin, Harlan, Hicks, Huckleberry, Huddleston, Hughes, Jackman, Johnson, of Dearborn, Johnston, of Putnam, Julian, Lozier, Meredith, Nicholson, Parker, of Allen, Pierce, Rippéy, Ross, of Miami, Rousseau, Ryan, Snook, Stanton, Starbuck, Vance, Vawter, Wade, Webster, Wilson, Young, and Mr. Speaker —52.

So the bill was not laid on the table.

The question then recurring on the passage of the bill.

The ayes and noes being demanded by Messrs. Wolfe and Parker, of Allen :

*Those who voted in the affirmative are,*

Messrs. Allen, Brady, Bryant, Buskirk, Caldwell, Campbell, Chambers, Cockrum, Commons, Cotton, Cox, Cravens, Decker, Donnohue, Dowling, Doyle, Drake, Dunn, Edmonston, Edwards, Frazer, Gil-lum, Goldsberry, Goodwin, Harlan, Hendricks, Hicks, Huckleberry, Huddleston, Hughes, Jackman, Johnson, of Dearborn, Johnston, of Putnam, Julian, Lozier, Meredith, Morgan, Nicholson, Parker, of Allen, Pierce, Riley, Ross, of Miami, Rousseau, Ryan, Snook, Stanton, Starbuck, Vance, Vawter, Wade, Webster, Wilson, Young, and Mr. Speaker—54.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Barbour, Blakemore, Bundy, Cassel-berry, Dawson, Dobson, Dougherty, of Boone, Dougherty, of Morgan, Ford, Gessie, Graham, Hankins, Hill, Howell, Hunt, Jones, of Bartholomew, Jones of Huntington, Kelley, Line, Maddox, Meacham, Miller, Odell, Orr, Osborn, Parker, of Brown, Place, Rice, Riffer, Rippey, Ross, of Wabash, Smith, Spencer, Tuttle, Winstan-dley, Withers, Wolfe, and Wood—40.

So the bill passed.

On motion by Mr. Harlan,

The title of the bill was amended to read as follows:

“An act relative to suits against sureties of State and county officers.”

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Cassleberry, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following en-rolled with the engrossed bills, and find them truly enrolled, to-wit:

No. 36. An act to change the name of Andrew Turner, *alias* John Turner, to that of John Anderson Barnes.

No. 52. An act for the relief of Alvin N. Blacklidge, and the heirs of Robert Thompson, deceased.

No. 96. A joint-resolution in relation to the time of payment of the semi-annual interest due the bondholders of this State.

Whereupon the speaker signed the same.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Edmonston moved to suspend the special order for 10 o'clock A. M., until 2 o'clock P. M., which motion did not prevail.

On motion by Mr. Line,  
 The House took up bill of the House,  
 No. 167. A bill to increase and extend the benefits of common schools.

On motion by Mr. Meredith,  
 The House went into the committee of the whole, Mr. Line in the chair.

After remaining in session sometime, the committee rose and made the following report, through Mr. Line, their chairman :

**MR. SPEAKER :**

The committee of the whole House to whom was referred bill of the House No. 167, "a bill to increase and extend the benefits of common schools," have according to order had the same under consideration, and have directed me to report progress, and ask leave to sit again ;

Which report was concurred in, and the committee granted leave to sit again.

On motion by Mr. Brady,  
 The House adjourned.

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*Two o'clock, P. M.*

The House met.

**ORDERS OF THE DAY.**

The resolution of the Senate fixing the time of final adjournment having been postponed until to-day, the House took up the following message from the Senate :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, in which the concurrence of the House is respectfully requested :

*Resolved*, That the Senate will, the House concurring therein, adjourn "*in die*," on Tuesday the 16th day of January next.

On motion by Mr. Edwards,  
A call of the House was ordered.

After sometime spent therein, eighty-nine members answered to a call of their names.

On motion by Mr. Edmonston,

A further call of the House was dispensed with.

The question being on concurring in the resolution of the Senate;

The ayes and noes being demanded by Messrs. Julian and Parker of Allen,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Blakemore, Brady, Buskirk, Caldwell, Casselberry, Chambers, Cockrum, Commons, Cox, Cravens, Dawson, Decker, Dobson, Donnohue, Dougherty, of Boone, Dougherty, of Morgan, Dowling, Edmonston, Frazer, Ford, Gessie, Goldsberry, Goodwin, Graham, Harlan, Hendricks, Hicks, Howell, Huckleberry, Huddleston, Hughs, Hunt, Jackman, James, Johnson, of Dearborn, Johnston, of Putnam, Jones, of Bartholomew, Jones, of Huntington, Julian, Kelly, Line, Lozier, Maddox, Meacham, Meredith, Miller, Morgan, Nicholson, Odell, Orr, Osborn, Parker, of Allen, Parker, of Brown, Place, Rice, Riley, Rippey, Ross, of Wabash, Rousseau, Ryan, Smith, Snook, Spencer, Stanton, Starbuck, Thompson, Vance, Vawter, Wade, Winstandley, Withers, Wolfe, Wood, and Mr. Speaker—77.

*Those who voted in the negative are,*

Messrs. Bryant, Cotton, Drake, Dunn, Edwards, Gillum, Hanks, Hill, Rifner, Ross, of Miami, Tuttle, and Webster—12.

So the resolution of the Senate was concurred in.

*Ordered,* That the clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bills of the House without amendment, as follows :

No. 45. An act to amend an act entitled, "an act to incorporate the Knightstown and Shelbyville Railroad Company," approved January 19, 1846.

No. 88. An act to facilitate the discharge of mortgages given to the State of Indiana for the payment of Bank Stock.

No. 99. An act to reduce the fees and salaries of county officers in the county of Blackford.

No. 112. An act to amend an act entitled, "an act to regulate the mode of doing township business in the county of Elkhart," approved January 13, 1845.

No. 128. An act creating the Marion Court of Common Pleas.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that the Senate have concurred in the amendments of the House to bills of the Senate, entitled :

No. 34; An act to locate a State road in the counties of Decatur, Jennings and Bartholomew.

No. 10. An act to incorporate the Columbus, Nashville and Bloomington Rail Road Company.

Also, the Senate have concurred in the 1st and 3d amendments of the House to the bill of the Senate No. 42, entitled, "an act defining the duties of county Treasurers in the several counties therein named," and have refused to concur in the 2d amendment of the House to said bill.

The question being on receding from the amendment of the House,

Was decided in the negative.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Edmonston,  
The order of business was suspended.

Mr. Edmonston offered the following resolution :

*Resolved*, That when the House adjourns this evening, it will adjourn until Thursday morning, 9 o'clock, A. M., and that the hall of the House is hereby tendered for the use of the Whig Convention, on Wednesday the 3d instant.

Which was adopted.

On motion by Mr. Odell,

The order of business was suspended and the House took up the following named bill:

No. 224. A bill to incorporate the Delphi and Frankfort Plank Road and Turnpike Company;

Which was read a second time, and

On motion by Mr. Odell,

Referred to the committee on corporations.

Mr. Starbuck moved to suspend the order of business for the purpose of calling on standing committees for reports,

Which motion did not prevail.

On motion by Mr. Harlan,

The order of business was suspended for the purpose of giving

the committee on ways and means an opportunity to make two reports.

Mr. Harlan, Chairman of the committee on ways and means, made the following report :

MR. SPEAKER :

The standing committee of ways and means have had under consideration, the general appropriations for the year 1849, and have directed me to report the following bill on that subject, and respectfully recommend its passage :

No. 238. A bill making General Appropriations for 1849, &c.

Which was read a first time, and passed to a second reading.

On motion by Mr. Edmonston,

The rules were suspended, the bill read a second time, and made the special order of the day on Friday next at 2 o'clock, P. M.

Mr. Harlan, chairman of the committee on ways and means, made the following report :

MR. SPEAKER :

The standing committee on ways and means have had under consideration, the subject of levying a tax for State purposes for the year 1849, and have directed me to report the following bill on that subject, and respectfully recommend its passage:

No. 239. A bill to raise a revenue for State purposes, for the year 1849.

Which was read a first time, and passed to a second reading.

On motion by Mr. Harlan,

The rules were suspended and the bill read a second time, and made the special order of the day on Friday next, at 10 o'clock, A. M.

On motion by Mr. Hill,

The order of business was suspended.

Mr. Hill introduced,

No. 240. A bill authorizing the Auditor of Clinton county to make a deed in a certain case.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their assistant secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment, to-wit :

No. 118. An act in relation to the duties of Auditor and Agent of State.

On motion by Mr. Edmonston,

The House took from the table the following named bill of the House :

No. 95. A bill to incorporate the Central Plank Road Company.

The question pending being the motion by Mr. Edwards, to reconsider the vote on laying the amendment offered by Mr. Wolfe on the table,

The ayes and noes being demanded by Messrs. Wolfe and Rice :

*Those who voted in the affirmative are,*

Messrs. Alexander, Blakemore, Buskirk, Campbell, Casselberry, Chambers, Cockrum, Cotton, Dawson, Decker, Dobson, Donnouue, Edmonston, Edwards, Frazer, Graham, Harlan, Hill, Howell, Hucklebury, Hughes, Jackman, Johnson, of Dearborn, Jones, of Bartholomew, Jones, of Huntington, Odell, Orr, Osborn, Parker, of Brown, Pierce, Place, Rice, Rippey, Ross, of Miami, Rousseau, Smith, Spencer, Thompson, Withers, Wolfe, Young, and Mr. Speaker—42.

*Those who voted in the negative are*

Messrs. Alden, Allen, Barbour, Brady, Bryant, Bundy, Caldwell, Commons, Cox, Cravens, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Dunn, Ford, Hankins, Hendricks, Hicks, Huddleston, Hunt, James, Johnston, of Putnam, Julian, Kelley, Line, Maddox, Meacham, Meredith, Miller, Morgan, Nicholson, Parker, of Allen, Rifner, Riley, Ross, of Wabash, Ryan, Shaw, Snook, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, Withstandley, and Wood—48.

So the vote was not reconsidered.

Mr. Johnson, of Putnam, offered the following amendment :

Amend as follows :

Strike out the word Hendricks, in the 8th line of the first section, and insert the word "Putnam;"

Which was adopted.

Mr. Johnson, of Putnam, offered the following amendment :

Strike out the words "Hendricks county," in the first section, add the words "Wm. Eaglesfield, David Scott, and Gilmore Connely of Putnam county."

Mr. Riley moved the previous question, which was not seconded by the House.

The question then recurring on the adoption of the amendment of Mr. Johnston, of Putnam, was decided in the affirmative.

Mr. Riley moved to lay the bill on the table;

Which motion did not prevail.

Mr. Line moved to amend by inserting in the proper place, the following:

"That if the nett proceeds of said road shall exceed ten per cent., said excess shall be paid into the State Treasury, and be divided equally throughout the State, for school purposes."

On motion by Mr. Wade,

The amendment was laid on the table.

The question being on the engrossment of the bill, the ayes and noes being demanded by Messrs. Wolfe, and Parker, of Allen,

*Those who voted in the affirmative are :*

Messrs. Alden, Allen, Brady, Bryant, Bundy, Caldwell, Commons, Cottons, Cox, Donnohue, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Frazer, Gessie, Goldsberry, Hankins, Hendriks, Hicks, Howell, Huddleston, Hunt, Johnson of Dearborn, Johnston of Putnam, Julian, Line, Meacham, Meredith, Miller, Morgan, Odell, Parker, of Allen, Risner, Ross of Wabash, Shaw, Snook, Stanton, Starbuck, Vance, Vawter, Wade, Webster, and Wood—46.

*Those who voted in the negative are :*

Messrs. Alexander, Blakemore, Chambers, Cockrum, Cravens, Dawson, Decker, Dobson, Dunn, Edmonston, Edwards, Ford, Gillum, Goodwin, Graham, Harlan, Hill, Hughes, Jackman, Jones of Bartholomew, Jones of Huntington, Kelley, Nicholson, Orr, Osborn, Parker of Brown, Pierce, Place, Rice, Riley, Rippey, Ross of Miami, Rousseau, Ryan, Smith, Spencer, Tuttle, Withers, Wolfe, Young, and Mr. Speaker—42.

So the bill was ordered to be engrossed.

The House took up the following message from the Senate :

A message from the Senate by Mr. Orth, a Senator :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate has passed the following engrossed bill of the House, with the engrossed amendment thereto, to-wit.:

No. 75. An act to repeal so much of section 54, chapter 12, of the Revised Statutes of 1843, as requires the county Treasurer to attend at the places of holding elections in each township, for the purpose of collecting taxes, so far as relates to the counties of Allen, Henry, Jefferson, and White ;

In which amendment the concurrence of the House is respectfully requested.

The question being on concurring in the amendment of the Senate, was decided in the affirmative.

*Ordered*, That the clerk inform the Senate thereof.

On motion by Mr. Barbour,

*Resolved*, That this House will, the Senate concurring therein, proceed on Thursday the 4th inst., at 10 o'clock, A. M., to the election of a judge of the Marion Court of Common Pleas.

*Ordered*, That the clerk inform the Senate thereof.

On motion by Mr. Dougherty, of Morgan,

The House adjourned to meet on Thursday Morning at 9 o'clock A. M.

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### THURSDAY MORNING, JAN. 4, 1849.

The House met.

On motion by Mr. Miller,

The reading of the journal was dispensed with.

Mr. Edwards, (on leave,) introduced

No. 241. A bill to provide for the publication of ordinances in the town of Terre Haute, in certain cases;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Blakemore, (on leave,) introduced

No. 242. A bill to change the time of holding courts in the 8th judicial circuit, and to reduce said circuit;

Which was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Parker, of Brown, (on leave,) introduced

No. 243. A bill in relation to roads and highways, in Brown county;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Miller, on leave, introduced  
 No. 244. A bill to incorporate the American University ;  
 Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

PETITIONS &c., PRESENTED.

By Mr. Julian,

The petition of citizens of Delaware county, praying for the passage of a bill re-instanting the fees of the Recorder of said county, so as to make his compensation for services equal to the compensation of the recorders of other counties for similar services ;

Which,

On motion,

Was referred to a select committee consisting of,  
 Messrs. Julian, Harlan, and Orr.

By Mr. Brady,

The petition of Thomas Eaglesfield of Marion county ;  
 Which,

On motion by Mr. Brady,

Was referred to the committee on claims.

By Mr. Brady,

The petition of Robert Greenfield and others of Marion county ;  
 Which,

On motion by Mr. Brady,

Was referred to the committee on the affairs of the town of Indianapolis.

By Mr. Rippey,

Three petitions of citizens of Elkhart county, praying for the repeal of "an act to repeal the 4th section of the 47th chapter of the Revised Statutes, so far as relates to Elkhart county," approved February 15, 1848 ;

Which,

On motion,

Was referred to a select committee consisting of,  
 Messrs. Rippey, Pierce, and Starbuck.

By Mr. Webster,

The petition of G. W. Greenfield, and others, of Lagrange county, praying that certain acts of the county commissioners may be legalized ;

Which,

On motion by Mr. Webster,

Was referred to the committee on the judiciary.

By Mr. Gillum,

The petition of citizens of the counties of Orange and Crawford, praying for the location of a State road from Hillsborough in Martin county, *via* New Prospect, French Lick, and Dillard's Mills, to intersect the Troy State road at David Rice's farm ;

Which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Gillum, Goodwin, and Rice.

By Mr. Meredith,

The temperance memorial of citizens of Wayne county, praying  
a change in the laws licensing "retailers of intoxicating drinks;"

Which,

On motion by Mr. Meredith,

Was referred to a select committee, composed of one member  
from each judicial circuit, viz :

|               |   |   |   |   |                        |
|---------------|---|---|---|---|------------------------|
| 1st Circuit,  | - | - | - | - | Mr. Bryant.            |
| 2d Circuit,   | - | - | - | - | Mr. Smith.             |
| 3d Circuit,   | - | - | - | - | Mr. Dunn.              |
| 4th Circuit,  | - | - | - | - | Mr. Cotton.            |
| 5th Circuit,  | - | - | - | - | Mr. Vance.             |
| 6th Circuit,  | - | - | - | - | Mr. Meredith.          |
| 7th Circuit,  | - | - | - | - | Mr. Gessie.            |
| 8th Circuit,  | - | - | - | - | Mr. Odell.             |
| 9th Circuit,  | - | - | - | - | Mr. Miller.            |
| 10th Circuit, | - | - | - | - | Mr. Dougherty of Morg. |
| 11th Circuit, | - | - | - | - | Mr. Orr.               |
| 12th Circuit, | - | - | - | - | Mr. Webster.           |
| 13th Circuit, | - | - | - | - | Mr. Kelley.            |

By Mr. Dunn,

The temperance memorial of Sylvester Scoville, and 27 other cit-  
izens of Jefferson county, praying for the repeal of the license laws ;

Which,

On motion,

Was referred to the select committee of one member from each  
judicial circuit, on the same subject.

By Mr. Blakemore,

The temperance memorial of citizens of Howard county, praying  
for the repeal of the license laws ;

Which,

On motion,

Was referred to the select committee of one member from each  
judicial circuit, on the same subject.

By Mr. Starbuck,

The petition of Wm. Talbert and 90 others ;

Which,

On motion by Mr. Starbuck,

Was referred to the committee on the judiciary.

By Mr. Kelley,

The temperance memorial of citizens of Ripley county, praying  
for the repeal of the license laws ;

Which,

On motion,

Was referred to the select committee of one member from each  
judicial circuit, on the same subject.

By Mr. Ross of Miami,

The petition of James M. Defrees and 268 others, praying for a charter for a Turnpike company from Peru to Rochester;

Which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Ross of Miami, Tuttle, and Wood.

By Mr. Vawter,

The petition of citizens of Jennings and Jefferson counties, praying for a charter for a Railroad from Paris to Dupont;

Which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Vawter, Dunn, and Jackman.

By Mr. Vawter,

The petition of citizens of Jefferson and Jennings counties, praying for the change of a road;

Also,

A remonstrance on the same subject, by citizens of the above named counties;

Which,

On motion,

Were referred to a select committee, consisting of,  
Messrs. Vawter, Dunn, and Jackman.

By Mr. Dunn,

The petition of Jonathan Fitch and 42 others, praying that certain territory may be included within the limits of the city of Madison;

Which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Dunn, Jackman, and Meredith.

By Mr. Blakemore,

The petition of J. J. Barrett and sundry other citizens of Howard, Grant, and Carroll counties, on the subject of a State road;

Which,

On motion by Mr. Blakemore,

Was referred to the committee on roads.

By Mr. Rippey,

The petition of E. W. H. Ellis and others, citizens of Elkhart county, on the subject of the seminary fund;

Which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Rippey, Pierce, and Dawson.

By Mr. Wood,

The petition for the relief of Dempsey Linton of Randolph county;

Which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Wood, Decker, and Howell.

By Mr. Maldox,

The temperance memorial of citizens of Fountain county, praying  
for the repeal of the license laws;

Which,

On motion,

Was referred to the select committee, of one member from each  
judicial circuit, on the same subject.

By Mr. Odell,

The petition of citizens of Carroll county, praying for a charter  
for a plank road from Delphi to Frankfort;

Which,

On motion by Mr. Odell,

Was referred to the committee on corporations.

By Mr. Pierce,

Two remonstrances from citizens of Elkhart county, against the  
repeal of the law passed last winter, extending the jurisdiction of  
justices of the peace in said county;

Which,

On motion,

Was referred to the select committee, heretofore appointed on the  
same subject, consisting of,

Messrs. Rippey, Pierce, and Starbuck.

#### REPORTS FROM COMMITTEES.

Mr. Ford, chairman of the committee on elections, made the following report :

MR. SPEAKER :

The standing committee on elections to whom was referred the certificates of election of the respective members, have directed me to report that they have examined the same, and find that the following named persons were duly elected Representatives of this House on the first Monday of August last, except Richard H. Rousseau, who was elected by special election on Tuesday, the 7th day of November last, and in pursuance of the laws of this State, from the several counties of this State, to-wit :

From the county of Allen—Christian Parker.

From the counties of Adams and Wells—Samuel Decker.

From the county of Bartholomew—Charles Jones, and Heman H. Barbour.

From the county of Boone—Lorenzo C. Dougherty.

From the county of Brown—Patterson C. Parker.

From the counties of Crawford and Orange—John W. Rice, and John W. Gillum.

- From the county of Carroll—James Odell.
- From the counties of Clinton and Tipton—James Hill, and A. M. Young.
- From the county of Clark—J. C. Huckleberry, and J. G. Caldwell.
- From the county of Clay—John T. Alexander.
- From the counties of Cass and Howard—G. W. Blakemore.
- From the county of Delaware—Samuel Orr.
- From the county of Dearborn—A. J. Alden, J. B. Johnson, and G. M. Lozier.
- From the counties of De Kalb and Steuben—R. J. Dawson.
- From the counties of Daviess and Martin—Benjamin Goodwin.
- From the county of Dubois—B. R. Edmonston.
- From the county of Elkhart—Lovingus Pierce, and Matthew Rippey.
- From the county of Franklin—John B. Campbell, and Aaron B. Line.
- From the counties of Fulton and Marshall—Enos S. Tuttle.
- From the county of Fayette—Thomas D. Hankins.
- From the county of Floyd—John B. Winstandley.
- From the county of Fountain—Finley L. Maddox.
- From the county of Greene—Richard H. Rousseau.
- From the county of Gibson—James W. Cockrum.
- From the county of Grant—A. J. Harlan.
- From the county of Hancock—Reuben A. Riley.
- From the county of Hamilton—Griffin M. Shaw.
- From the county of Henry—William A. Fisher, and Martin L. Bundy.
- From the county of Harrison—G. P. R. Wilson.
- From the county of Hendricks—David Wade.
- From the counties of Huntington and Whitley—Samuel Jones.
- From the county of Laporte—Franklin W. Hunt, and Willard A. Place.
- From the county of Lawrence—George W. Carr.
- From the counties of Lake and Porter—Benjamin N. Spencer.
- From the county of Lagrange—Elijah A. Webster.
- From the county of Jefferson—Henry Jackman, and W. M. Dunn.
- From the county of Jennings—Smith Vawter.
- From the county of Johnson—Gilderoy Hicks.
- From the county of Jackson—John L. Ford.
- From the counties of Blackford and Jay—George S. Howell.
- From the counties of Jasper, White, Pulaski and Benton—Roland Hughes.
- From the county of Knox—Cyrus M. Allen.
- From the county of Kosciusko—James S. Frazer.
- From the county of Miami—Nathan O. Ross.
- From the county of Montgomery—Henry T. Snook, and David D. Nicholson.
- From the county of Morgan—O. R. Dougherty.

From the county of Marion—Henry Brady, James P. Drake, and Arthur St. Clair Vance.

From the county of Monroe—Samuel H. Buskirk.

From the county of Madison—Townsend Ryan.

From the county of Owen—David M. Dobson.

From the county of Putnam—Dillard C. Donnouue, and Archibald Johnston.

From the county of Posey—Felix Mills, and Hamilton S. Casselberry.

From the county of Parke—Samuel A. Duvall, and John J. Meacham.

From the county of Pike—James R. Withers.

From the county of Randolph—Isaac F. Wood.

From the county of Ripley—Richard Kelley.

From the county of Rush—John M. Huddleston, and Robert S. Cox.

From the county of Spencer—John W. Graham.

From the county of Scott—Hezekiah S. Smith.

From the county of Sullivan—Silas Osborn, and Benj. Wolfe.

From the county of Shelby—Thomas A. Hendricks.

From the county of St. Joseph—William Miller.

From the counties of Switzerland and Ohio—Daniel Kelso.

From the county of Tippecanoe—John Doyle, and Peter Goldsberry.

From the county of Union—George C. Starbuck.

From the county of Vermillion—Robert J. Gessie.

From the county of Vigo—W. K. Edwards, and Thomas Dowling.

From the county of Vanderburgh—Nathaniel J. James.

From the county of Wayne—David Commons, Jacob B. Julian, Solomon Meredith, and S. B. Stanton.

From the county of Washington—James A. Cravens, and William Thompson.

From the county of Warrick—Abram Chambers.

From the county of Warren—James R. M. Bryant.

From the county of Wabash—William T. Ross.

Which report was concurred in.

Mr. Harlan, chairman of the committee of ways and means, made the following report:

MR. SPEAKER:

The standing committee of ways and means, to whom was referred certain resolutions of the House, requesting said committee to "inquire into the expediency and necessity of so amending the Butler Bill that the time of paying the interest upon the State debt, shall be changed from January and July, to March and September," have had the same under consideration, and inasmuch as a

joint resolution, embracing the principles contained in said resolutions, has already passed the House, and is now on its second reading in the Senate, they therefore ask leave to report said resolutions back to the House, and recommend that they be laid on the table, and the committee discharged from their further consideration;

Which was concurred in.

Mr. Winstandley, from the committee on ways and means, made the following report:

**MR. SPEAKER :**

The committee of ways and means to whom was referred a resolution of the House directing them "to inquire into the expediency of laying a tax on dogs," have had the same under consideration, and instructed me to report that they deem it inexpedient to levy a tariff on the canine race, and ask to be discharged from the further consideration thereof;

Which was concurred in.

Mr. Cox, from the committee on ways and means, made the following report:

**MR. SPEAKER :**

The committee on ways and means, to whom was referred bill, No. 90, "An act for the relief of Baker Spencer," have had the same under consideration, and have directed me to report the same back to the House, and recommend its indefinite postponement. They therefore, ask to be discharged from the further consideration of the same.

Which report was concurred in.

Mr. Barbour, chairman of the committee on the judiciary, made the following report:

**MR. SPEAKER :**

The judiciary committee, to whom was referred bill of the House No. 169, explanatory of an act for the relief of J. and L. Beard, passed last session, have considered that subject, and a majority of said committee have instructed me to report that in their opinion the passage of said bill would not affect the proceedings now pending under said act, and that its provisions would be nugatory. The majority, therefore, direct me to report that it is inexpedient to legislate on the subject, and recommend that the bill be laid upon the table.

Which report was concurred in.

Mr. Barbour, from the committee on the judiciary, made the following report:

MR. SPEAKER :

The judiciary committee, to whom was referred the petition of John Smith, praying this Legislature to pass a law divesting his wife of her right of dower in certain lands which he has sold, on the ground that she is insane and incapable of releasing that right, have considered the matter, and finding no evidence of the wife's insanity, and believing if that were established it would be very unwise and unjust to deprive her of her interest in her husband's estate, without assurance that provision equivalent was made for her, have unanimously agreed that it would be imprudent and impolitic to legislate on that subject, and ask to be discharged.

On motion by Mr. Dobson,

The petition was recommitted to a select committee.

The Speaker appointed Messrs. Dobson, Dunn, and Julian, said committee.

Mr. Barbour, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred Senate bill No. 41, to amend the law relative to costs in appeals from justices of the peace, deem it inexpedient to change the existing laws on that subject, and recommend that said bill be laid upon the table, and ask to be discharged.

Which report was concurred in.

Mr. Dawson, from the committee on the judiciary made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of sundry citizens of Noble county, in relation to the extension of the provisions of chapter 16 of the revised statutes of 1843, over said county, and for other purposes, have had the same under consideration, and have instructed me to report the following bill, and respectfully recommend its passage. The committee ask to be discharged from the further consideration of that subject :

No. 245. A bill extending the provisions of chapter 16, of the revised statutes of 1843, to the county of Noble, and for other purposes.

Which was read a first time and passed to a second reading.

Mr. Dawson, from the committee on the judiciary, made the following report.

MR. SPEAKER:

The committee on the judiciary, to whom was referred Senate bill No. 74, entitled "An act to repeal section three chapter 28 revised statutes of 1843, in relation to contracts with Indians," have had the same under consideration, and have directed me to report the same back to this House without amendment, and recommend that it be indefinitely postponed.

Which report was not concurred in.

The bill was then ordered to a third reading.

Mr. Orr, from the committee on military affairs, made the following report:

MR. SPEAKER:

The committee on military affairs, to whom was referred the report of the Adjutant General of State, have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be laid on the table, and that three hundred copies of it be printed, and the committee ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Orr, from the committee on military affairs, made the following report:

MR. SPEAKER:

The committee on military affairs, to whom was referred so much of the Governor's Message as relates to the Quarter Master General, and the Adjutant General of the State, have had the same under consideration, and directed me to report that they deem it unnecessary to legislate upon the subject, and the committee ask to be discharged from the further consideration of the same.

Mr. Dobson, chairman of the committee on claims, made the following report:

MR. SPEAKER:

The committee on claims, to whom was referred the claim of E. Browning for keeping volunteers and horses, have had the same under consideration, and have directed me to report the following resolution, and recommend its adoption:

*Resolved*, That the committee on ways and means be instructed to allow E. Browning fifty dollars in the specific appropriation bill, for keeping volunteers and horses in June, 1846.

Which was concurred in.

Mr. Dobson, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred the petition of E. F. Lucas, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 246. A bill for the relief of Ebenezer F. Lucas, late Superintendent of the Wabash and Erie Canal.

Which was read a first time and passed to a second reading.

A message from the Senate by Mr. Emerson their assistant secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has reciprocated the resolution of the House, providing for an election of a judge of the Marion court of common pleas.

On motion by Mr. Morgan,

*Resolved*, That the Senate be invited to attend in the Hall of the House instanter, for the purpose of going into the election of a judge of the Marion court of common pleas, and that seats be provided for their accommodation on the right of the Speaker's chair.

Mr. Dobson chairman of the committee on claims made the following report :

MR. SPEAKER :

The committee on claims to whom was referred the petition of Lewis L. Brown, have had the same under consideration, and have directed me to report the following resolution and recommend its adoption :

*Resolved*, That the committee on ways and means be instructed to allow Lewis L. Brown seventy-five dollars and eighty-seven cents (\$75 87) in the specific appropriation bills for apprehending two horse-theives in the State of Ohio, under a requisition of the Governor of this State.

Which was concurred in.

Mr. Edmonston chairman of the committee on corporations made the following report :

MR. SPEAKER :

The committee on corporation to whom was referred bill of the Senate No. 84, entitled "an act to incorporate the Rockport and Washington Railroad company," have had the same under consideration, and directed me to report the same back to the House with one amendment; when adopted they recommend its passage.

Amend the bill by adding the following section,

Sec. — The President and Directors shall be liable in their individual capacity for all debts contracted beyond the amount of solvent stock secured to the company. And the Legislature reserves the right to alter, amend or repeal this charter, when any of its privileges shall be violated by said company ;

Which amendment was concurred in.

The bill as amended was then ordered to a third reading.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof!

Mr. Ross of Miami from the committee on corporations made the following report :

MR. SPEAKER :

The committee on corporations to which was referred the petition of H. R. Coleman and others, have had the same under consideration, and direct me to report the following bill in pursuance of the prayer of said petition, and recommend its passage,

No. 247. A bill to incorporate the Oxford, Billingsville, Dunlapsville and Connerville Turnpike company ;

Which was read a first time and passed to a second reading.

Mr. Casselberry from the committee on enrolled bills made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the enrolled with the engrossed bill of the House No. 249 entitled "an act to provide for the publication of ordinances in the town of Terre Haute, in certain cases and find the same truly enrolled.

Whereupon, the Speaker signed the same.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Casselberry chairman of the committee on enrolled bills made the following report :

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled with the engrossed bill and find it correctly enrolled, to-wit: No. 128. An act creating the Marion court of common pleas;

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Casselberry chairman of the committee on enrolled bills made made the following report:

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled with the engrossed bills of the House and find the same correctly enrolled, to-wit:

No. 20. An act for the relief of Isaac Hardy and others;

No. 62. An act to amend an act entitled "an act to incorporate the Kosciusko, Elkhart and Miami Railroad Company;

No. 67. An act for the relief of Aaron Wheeler, of Laporte county;

No. 68. An act authorizing the election of an additional justice of the peace in Adams township, in Morgan county;

No. 84. An act for the relief of Christian Aigner;

No. 86. An act to locate a State road from Fairfax, in Monroe county, to Finley's mills, in Jackson county;

No. 92. An act to authorize the county commissioners of Laporte county to borrow money and for other purposes;

No. 98. An act to authorize Zebina Wariner of Decatur county to file a bill in chancery;

No. 100. An act for the relief of Mathew McPhetridge of the county of Monroe;

No. 108. An act relative to the board of commissioners of the county of Boone;

No. 121. An act to authorize the probate court in Bartholomew county to sit two weeks at its February term;

No. 122. An act extending the time of working roads and highways in the county of Clay;

No. 123. An act to change the name of the town of Flemingsburgh in the county of Monroe, to that of Unionville, and for other purposes;

No. 114. A act to repeal an act therein named so far as the same relates to Owen county;

No. 148. An act to provide for the selection of petit juries in the county of Jackson;

Whereupon the Speaker signed the same.

*Ordered*, That the clerk inform the Senate thercof.

The Senate came into the Hall of the House, when both branches of the Legislature proceeded by joint ballot to the election of a President Judge of the Marion court of common pleas, Messrs. Randall and Herod acting as tellers on the part of the Senate, and Messrs. Morgan and Drake on the part of the House.

On counting the votes it appeared that

|                                 |              |
|---------------------------------|--------------|
| Abram A. Hammond received - - - | - 105 votes. |
| John H. Thompson received - - - | - 15 votes.  |
| Ovid Butler received - - -      | - 5 votes.   |
| Blank, - - - - -                | - 17 votes.  |

Abram A. Hammond having received a majority of all the votes given, was declared by the president of the convention, duly elected judge of the Marion court of common pleas, to serve as such for a term of seven years from and after the date of his election.

The president adjourned the convention *sine die*.

The Senate retired to their chamber.

On motion by Mr. Line,

The order of business was suspended.

Mr. Line, having obtained leave, presented the memorial of John Morgan, relative to marriage licenses; which,

On motion by Mr. Line,

Was referred to the committee on the judiciary.

On motion by Mr. Starbuck,

The House took up the following named bill:

No. 247. A bill to incorporate the Oxford, Billingsville, Duncapsville, and Connersville Turnpike Company.

The bill was read a second and a third time, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Edwards, from the committee on corporations, made the following report:

MR. SPEAKER:

The committee on corporations to which was referred bill of the Senate No. 82, entitled "An act to incorporate the Richmond Bridge and Turnpike Company," have had the same under consideration, and instructed me to report it back to the House with one amendment, and upon its being adopted to recommend the passage of said bill.

The amendment is as follows:

Sec. —. The directors of said company, who shall contract any debts over and above the amount of solvent stock subscribed in said company, shall be individually liable for the payment of such excess; and the Legislature reserves the right to alter or amend this

charter at any time, and to repeal the same whenever its provisions shall have been violated by said company ;

Which amendment was concurred in.

Mr. Hendricks moved to reconsider the vote on concurring in the amendment of the committee ;

Which motion did not prevail.

The bill was then ordered to a third reading.

Mr. Dougherty of Morgan, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred Senate bill No. 81, an act to incorporate the Madison Marine Insurance Company, have had the same under consideration, and have instructed me to report it back to the House without amendment, and recommend its passage :

No. 81. A bill to incorporate the Madison Marine Insurance Company ;

Which was read a second time and ordered to a third reading.

The rules were suspended, and the bill read a time and passed.

Mr. Spencer, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred a bill of the Senate No. 47, to incorporate the Lima Band, have had the same under consideration, and instructed me to report the same to the House without amendment, and recommend its passage ;

Which was read a second time and ordered to a third reading.

Mr. Miller, from the committee on the State bank, made the following report :

MR. SPEAKER :

The committee on the State bank to whom was referred Senate bill No. 20, authorizing the establishment of additional branches of the State Bank of Indiana, have had the same under consideration, and said committee have instructed me to report the same back to the House, and respectfully recommend its passage, and ask to be discharged from the further consideration thereof.

Mr. Hendricks, from the same committee, made the following minority report on the same subject :

## MR. SPEAKER:

The undersigned, a minority of the committee on the State Bank, to whom was referred bill of the Senate No. 20, entitled, "an act authorizing the establishment of additional branches of the State Bank of Indiana," have felt it their duty to dissent from the opinion and report of the committee in relation to said bill, and avail themselves of their right to place their dissent upon the journals of this House.

This bill confers upon the State Bank and its branches, the power of establishing four additional branches, with a capital each, of one hundred and sixty thousand dollars, making in the four proposed branches, a stock of six hundred and forty thousand dollars, upon which capital, the bank, under its charter and amendments, might issue its paper to the amount of one million and six hundred thousand dollars.

The bank is not, nor could it be, compelled to establish these branches, or any of them, immediately, but may, under the provisions of this bill, establish them at any time, prior to the expiration of its banking privileges.

The undersigned are of opinion, that instead of being benefitted thereby, our trade and commercial interests would be greatly jeopardized, by enabling the bank to throw into circulation so great an increase of her paper, as she might, under the provisions of this bill, to be suddenly withdrawn from circulation upon the determination of the franchises of the bank.

The undersigned are further of opinion, that the business of the country does not require the establishment of the four additional branches provided for in this bill.

But the consideration, which more than any other, has influenced the undersigned in dissenting from the report of the committee; is, that within a very few years, the State Bank will be before the Legislature of this State, for a renewal of its charter, or a continuation of its privileges. When this application is made, it is important that the Legislature should be unembarrassed, and free to grant, or withhold, or to impose such checks and restraints upon the bank, as the rights and interests of others may require. In giving or withholding their consent, to the establishment of the proposed branches, the State Bank and its branches would be governed by their own interests and purposes, and the undersigned can see no reason, why the State Bank would establish the proposed branches so shortly before the expiration of its charter, except thereby to compel from the Legislature a renewal of its charter, or extension of its privileges. By the establishment of the proposed branches, immediately before the expiration of its charter, the bank would, as before stated, be enabled to make additional discounts to the large amount stated, thereby making a greatly increased number of the citizens of this State its debtors and dependants, and rendering embarrassments, if

not failures and bankruptcies inevitable upon the sudden withdrawal of its paper from circulation.

The undersigned, therefore believe, that by the passage of this bill, the bank would be enabled to a greater extent, to impair the independence of legislation, upon the subject of the renewal of its charter or extension of its privileges.

For these reasons the undersigned are of opinion that the bill should not pass as recommended by the committee.

THOS. A. HENDRICKS,  
J. R. WITHERS,  
JAMES. P. CALDWELL.

No. 20. A bill authorizing the establishment of additional branches of the State Bank of Indiana.

Mr Dobson moved to insert as an additional district, the counties of Owen, Greene, Morgan, Clay, Daviess and Martin.

Mr Alexander moved to strike out the county of Clay,  
Which motion prevailed.

The question then being on the amendment of Mr. Dobson,  
Was decided in the affirmative.

A message from the Senate by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment, to-wit :

No. 79. An act for the relief of certain land owners within the corporate limits of the city of Rising Sun, in Ohio county.

No. 94. An act to authorize the erection of a new Seminary in Henry county.

No. 105. An act for the relief of Magdalena Pfalzgraf.

No. 119. An act to legalize the election of a Prosecuting Attorney in the county of Daviess.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment, to-wit :

No. 241. An act to provide for the publication of ordinances in the town of Terre Haute, in certain cases.

On motion by Mr. Wolfe,  
The House adjourned.

2 o'clock, P. M.

The House met.

On motion by Mr. Wolfe,  
Messrs. Hicks and Jones of Bartholomew were added to the select committee to whom was referred, bill of the House No. 61.

The House took up the following resolution, offered by Mr. Frazer on a previous day :

*Resolved*, That the resolution heretofore passed, requiring the House to proceed to the consideration of the orders of the day, on each day at 2 o'clock, P. M., be and the same is hereby rescinded.

On motion by Mr. Edmonston,  
The resolution was laid on the table.

Mr. Hunt moved to take up Senate bill No. 87, a bill to amend an act entitled, an act to authorize the construction of plank or coal roads, approved 16th February, 1848.

Which motion did not prevail.

#### ORDERS OF THE DAY.

#### *House Bill.*

No. 120. A bill regulating the salaries of certain officers therein named.

Was read a second time,

Mr. Wood offered the following amendment :

That the Supreme Judges of the State of Indiana, shall hereafter receive for their salaries each fifteen hundred dollars.

Which was not adopted.

The question then recurring on the engrossment of the bill,

The ayes and noes being demanded by Messrs. Casselberry and Wolfe :

*Those who voted in the affirmative are :*

Messrs. Alden, Barbour, Blakemore, Bryant, Bundy, Buskirk, Cox, Dowling, Dunn, Edwards, Gessie, Harlan, Jackman, Julian, Kelso, Meredith, Morgan, Odell, Ross of Miami, Rousseau, Ryan, Shaw, Stanton, Starbuck, Vawter, Webster, Wilson, and Wood—28.

*Those who voted in the negative are :*

Messrs. Alexander, Brady, Caldwell, Casselberry, Chambers,

Cockrum, Commons, Cotton, Cravens, Dawson, Decker, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Drake, Edmonston, Ford, Gillum, Goodwin, Graham, Hankins, Hendricks, Hicks, Hill, Howell, Huckleberry, Huddleston, Hughes, Hunt, James, Johnson of Dearborn, Johnston of Putnam, Jones, of Bartholomew, Jones of Huntington, Kelley, Line, Lozier, Maddox, Meacham, Miller, Nicholson, Orr, Osborn, Parker of Allen, Parker of Brown, Rice, Rifner, Riley, Rippey, Ross of Wabash, Smith, Snook, Spencer, Thompson, Tuttle, Vance, Winstandley, Withers, Wolfe, Young, and Mr. Speaker—62.

So the bill was not ordered to be engrossed.

On motion by Mr. Bryant,

The House then went into committee of the whole on the consideration of bill of the House,

No. 167. A bill to increase and extend the benefits of Common Schools;

With Mr. Line in the Chair, and after some time spent therein, the committee rose, and made the following report:

MR. SPEAKER :

The committee of the whole House, to whom was referred bill of the House, No. 167. "A bill to increase and extend the benefits of Common Schools," have had the same under consideration, and directed me to report progress, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

On motion by Mr. Barbour,

The rules were suspended, and bill,

No. 167. A bill to increase and extend the benefits of Common Schools,

Was taken up.

On motion by Mr. Edmonston,

A call of the House was ordered.

After some time spent therein ninety-four members answered to a call of their names.

On motion,

The further call was dispensed with.

Leave of absence was granted to Messrs. Wade and Duvall.

Mr. Frazer moved to amend by striking out the 7th section and inserting the following :

"The Treasurers of the several counties, at the time of paying into the State Treasury the State revenue, shall pay into the State Treasury the several amounts by them collected under the provisions of this act. And it shall be the duty of the Auditor of State, upon the requisition of the county Auditors respectively, to draw

his warrant upon the State Treasury in favor of the county Treasurer of each county for the amount of school funds raised under the provisions of the act, which may be due the several counties respectively, which shall be ascertained by apportioning the same among the several counties, according to the number of white children over five and under twenty-one years of age in each county. And it shall be the duty of the several county Auditors annually on the second Monday of March to apportion the amount so received by each county amongst the several townships of the county, having regard to the Congressional Township Fund, so as to equalize the amount of available funds in each township, according to the number of children therein: *Provided however,* That the Treasurer of State shall receive no compensation for his services in receiving and disbursing the funds raised by the provisions of this act.

Mr. Julian moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Kelso and Frazer:

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Barbour, Blakemore, Brady, Bryant, Bundy, Buskirk, Caldwell, Casselberry, Chambers, Cockrum, Commons, Cox, Cravens, Decker, Dobson, Donnohue, Dougherty, of Morgan, Dowling, Doyle, Drake, Dunn, Edwards, Ford, Gessie, Goldsberry, Hankins, Hendricks, Hicks, Huddleston, Hunt, Jackman, James, Johnson, of Dearborn, Johnston, of Putnam, Jones, of Bartholomew, Jones, of Huntington, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meacham, Meredith, Mills, Morgan, Nicholson, Odell, Parker, of Allen, Rifner, Riley, Rippey, Ross, of Miami, Ross, of Wabash, Rousseau, Shaw, Snook, Spencer, Stanton, Starbuck, Thompson, Vance, Vawter, Webster, Wilson, Winstandley, Withers, Wood, and Mr. Speaker—71.

*Those who voted in the negative are,*

Messrs. Alexander, Cotton, Dawson, Dougherty, of Boone, Edmonston, Frazer, Gillum, Goodwin, Graham, Harlan, Hill, Howell, Huckleberry, Hughes, Miller, Orr, Osborn, Parker, of Brown, Pierce, Rice, Ryan, Smith, Tuttle, Wolfe, and Young.—25.

So the amendment was laid on the table.

Mr. Dobson moved to strike out all after the word “township,” in the fifth line of the 7th section.

Mr. Line moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Dobson and Parker, of Brown :

*Those who voted in the affirmative are,*

Messrs. Alexander, Allen, Barbour, Brady, Bryant, Caldwell, Chambers, Cockrum, Commons, Cravens, Dawson, Decker, Dougherty, of Boone, Dougherty, of Morgan, Doyle, Drake, Dunn, Frazer, Ford, Gillum, Goldsberry, Goodwin, Graham, Hankins, Harlan, Hill, Huckleberry, Huddleston, Hughes, Jackman, Johnson, of Dearborn, Jones, of Bartholomew, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meredith, Nicholson, Odell, Parker, of Allen, Rice, Rifner, Riley, Ross, of Wabash, Shaw, Smith, Snook, Spencer, Stanton, Thompson, Tuttle, Vance, Vawter, Webster, Wilson, Wood, Young, and Mr. Speaker—60.

*Those who voted in the negative are,*

Messrs. Blakemore, Bundy, Buskirk, Casselberry, Cotton, Cox, Dobson, Donnohue, Dowling, Edmonston, Edwards, Gessie, Hendricks, Hicks, Howell, Hunt, James, Johnston, of Putnam, Jones, of Huntington, Meacham, Miller, Mills, Morgan, Orr, Osborn, Parker, of Brown, Pierce, Rippey, Ross, of Miami, Rousseau, Ryan, Starbuck, Winstandley, Withers, and Wolfe—35.

So the amendment was laid on the table.

Mr. Edmonston offered the following amendment :

Sec. . This act shall have no effect whatever, unless the legal voters of Indiana, at the general election in August, 1849, shall sanction the levying of the tax provided in the first section of this act, and for this purpose a vote shall be taken by ballot, as follows : Those who favor this tax may write (or have printed) on their ticket, "*in favor of a School tax*," and those who do not favor it, may write (or have printed) on their ticket, "*against a School tax*;" and it shall be the duty of the clerks of the several circuit courts, to return the votes cast for and against the tax in the various counties, to the Secretary of State, in the same manner that the votes for Governor and Lieutenant Governor are returned ; and if in comparing the votes it shall appear that a majority of the legal votes of the State have been cast in favor of the tax, it shall be the duty of the Governor of the State to issue his proclamation declaring this act to be in full force except as herein after provided.

Sec. . When a majority of votes in any county shall be cast in favor of said act, the same shall be in full force and effect in said county ; and when a majority of the legal votes of any of the counties shall be against the provisions of said act, the same shall not be binding on such.

Mr. Julian moved to lay the amendment on the table.

Mr. Buskirk moved that the House adjourn, which motion did not prevail.

The question then recurring on laying the amendment on the table;

The ayes and noes being demanded by Messrs. Johnston of Putnam and Snook,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Barbour, Brady, Bryant, Bundy, Cockrum, Commons, Dawson, Decker, Doyle, Drake, Dunn, Frazer, Goldsberry, Graham, Harlan, Hill, Huckleberry, Huddleston, Hunt, Jackman, James, Johnson, of Dearborn, Jones, of Bartholomew, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meredith, Miller, Mills, Odell, Parker, of Allen, Rifner, Riley, Ross, of Wabash, Shaw, Spencer, Stanton, Thompson, Tuttle, Vance, Vawter, Wilson, and Young—48.

*Those who voted in the negative are.*

Messrs. Alexander, Blakemore, Buskirk, Caldwell, Chambers, Cotton, Cox, Cravens, Dobson, Donnohue, Dougherty, of Boone, Dougherty, of Morgan, Dowling, Edmonston, Edwards, Ford, Gessie, Gillum, Goodwin, Hankins, Hendricks, Hicks, Howell, Hughes, Johnston, of Putnam, Jones, of Huntington, Meacham, Morgan, Nicholson, Orr, Osborn, Parker, of Brown, Pierce, Rice, Rippey, Ross, of Miami, Rousseau, Ryan, Smith, Snook, Starbuck, Webster, Winstandley, Withers, Wolfe, Wood, and Mr. Speaker—47.

So the amendment was laid on the table.

Mr. Bryant offered the following amendment.

Section seven at the ninth line, after the word taxation insert, “the Surplus Revenue, Saline, and Bank Tax Funds.”

At the tenth line, after the word township, insert “as near as may be.”

Mr. Vance offered the following amendment to the amendment:

*Provided*, That nothing herein contained shall be so construed as to divert the fund commonly called the Congressional township fund, or any part thereof, from the objects and purposes for which it was granted by Congress.

Mr. Hill moved to lay the amendment to the amendment on the table.

Mr. Maddox moved that the House adjourn, which motion did not prevail.

The question recurring on laying the amendment to the amendment on the table, was decided in the negative.

The amendment to the amendment was adopted by Mr. Bryant.

Mr. Buskirk moved that the House adjourn, which motion did not prevail.

The question then recurring on Mr. Bryants amendment, was decided in the affirmative.

Mr. Hicks moved to amend by striking out of 7th section 6th line when it occurs, the word "Treasurer" and insert "Auditor;"

Which amendment was adopted.

A message from his Excellency the Governor, by Mr. Carr, his private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives, that he has this day approved and signed the following bills and joint-resolution, viz :

No. 28. An act to amend an act entitled, "an act relative to high water in Jackson county," approved February 16th, 1848.

No. 35. An act authorizing Justices of the Pence in Harrison county to perform the duties of Coroner in certain cases.

No. 54. An act to amend an act entitled, "an act to incorporate the town of New Castle in the county of Henry," approved February 6th, 1839.

No. 63. An act for the relief John McCulloch of Cass county.

No. 85. An act in relation to bridges, &c., in Fayette county.

No. 17. A joint-resolution in relation to the existing post office laws.

No. 128. An act creating the Marion Court of Common Pleas.

All of which originated in the House of Representatives.

*January 4th, 1848.*

On motion by Mr. Edmonston,  
The House adjourned.

FRIDAY MORNING, JANUARY 5, 1848.

The House met.

On motion by Mr. Parker, of Brown,  
The reading of the journal was dispensed with.

PETITIONS, &c., PRESENTED.

By Mr. Johnston, of Putnam,  
The petition of sundry citizens of Greencastle, praying for a charter of incorporation;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Johnston, of Putnam, Donnouhe, and Meacham.

By Mr. Hill,

The petition of citizens of Clinton county, relative to giving bond and security for cost, &c.

Which,

On motion by Hill,

Was referred to the committee on the judiciary.

By Mr. Riley;

The petition of citizens of Greene township, Hancock county, praying for a change of the name of the town of Lewisburg, to that of Eden;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Riley, Ford, and Huckelberry.

By Mr. Cotton,

The petition of Wm. Marshall and 201 others, citizens of Perry county, praying for relief for Roswell Langdon, and his sureties.

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Cotton, Graham, and James.

By Mr. Tuttle,

The "Temperance Memorial" of citizens of Marshall county, praying for the repeal of the License Laws.

Which was referred to the select committee of one member from each judicial circuit, to whom was referred all similar petitions and memorials.

By Mr. Alden,

The petition of citizens of Dearborn county, praying for the enactment of a loan requiring each township to support its own

poor under all circumstances until they are lodged in the county poor house;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Alden, Lozier, and Johnson, of Dearborn.

By Mr. Johnston, of Putnam,

The petition of citizens of Putnam county, on the subject of free common schools;

Which,

On motion by Mr. Johnson, of Putnam,

Was laid on the table.

By Mr. Barbour,

The petition of citizens of Bartholomew county, relative to erecting a bridge across Clifty Creek, in the town of Newburn;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Barbour, Jones, of Bartholomew, and Brady.

By Mr. Hendricks,

The memorial of Peter Bailey;

Which,

On motion by Mr. Hendricks,

Was referred to the committee on claims.

By Mr. Johnston, of Putnam,

The petition of citizens of Putnam county, relative to a change in the mode of doing county business;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Johnston, of Putnam, Donnohue, and Miller.

By Mr. Johnston, of Putnam,

The petition of citizens of Putnam county, praying for the passage of a law abolishing the offices of Auditor and Treasurer of said county, and transferring the duties of the same to the offices of Clerk and Sheriff;

Which,

On motion,

Was referred to the select committee to whom was referred a petition on the same subject, consisting of

Messrs. Donnohue, Johnston, of Putnam, Duvall, Bundy, and Rifner.

By Mr. Donnohue,

The petition of citizens of the town of Cloverdale, praying a charter to incorporate said town;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Donnohue, Johnston, of Putnam, and Snook.

By Mr. Pierce,

Two petitions of citizens of the counties of Elkhart and Lagrange, praying for a charter for the Elkhart and Michigan Rail Road Company;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Pierce, Rippey, Miller, Frazer, and Hunt.

On motion by Mr. Rippey,

Mr. Webster was added to the committee.

#### REPORTS FROM COMMITTEES.

On motion by Mr. Hendricks,

The order of business was suspended for the purpose of giving him an opportunity to make a report from a select committee.

Mr. Hendricks, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred bill of the House, No. 130, entitled "An act extending the provisions of an act therein named," with instructions, have had the same under consideration and have instructed me to report the same back to the House, with the accompanying amendment, upon the adoption of which, they respectfully recommend its passage and ask to be discharged from the further consideration thereof.

Strike out of the enacting clause and insert,

That the provisions of the second and third sections of an act entitled "An act to amend an act, entitled an act to provide for the election of Prosecuting Attorneys by the people, in the several counties," approved January 27, 1847. Approved February 16, 1848, be and the same are hereby extended to the several counties of the fifth judicial circuit of this State.

Sec. 2. This act to take effect and be in force from and after its passage.

Which amendment was concurred in.

The bill as amended was read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Julian, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of Samuel Mote and others, citizens of Delaware county, in reference to the

fees of the Recorder of Delaware county, have had the same under consideration and a majority of the same have directed me to report back to the House, the following bill and recommend its passage :

No. 248. A bill to repeal an act entitled "An act reducing the fee for recording deeds in Delaware county," approved Feb. 14, 1848 ;

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Orr moved to strike out all after the enacting clause, and insert the following :

" That the recorder of Delaware county shall not be required by law to keep his office open more than *three hours* in the day, which hours shall be from twelve to three o'clock, P. M. " ☐

" Sec. 2 All laws and parts of laws contravening the provisions of this act, be and the same is hereby repeal, so far as the same relates to the county of Delaware.

" Sec. 3. This act to take effect and be in force from and after its passage."

Mr. Julian moved to lay the amendment on the table;

Which motion prevailed.

The bill was then ordered to be engrossed.

On motion by Mr. Julian,

The rules were suspended and the bill read a third time.

Mr. Orr moved to recommit the bill to the same select committee, with instructions to add the following additional section :

" Sec. —. That the gentleman from Grant, and the gentleman from Wayne, (Mr. Julian) be hereafter considered the true exponents of the sentiments of the people of Delaware county."

Which motion did not prevail.

The question then recurring on the passage of the bill,

The ayes and noes being demanded by Messrs Orr and Stanton.

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Barbour, Brady, Bryant, Bundy, Buskirk, Caldwell, Chambers, Commons, Cox, Cravens, Decker, Dobson, Dougherty, of Boone, Doyle, Dunn, Edmonston, Frazer, Goldsberry, Hankins, Harlan, Hendricks, Hill, Howel, Huckleberry, Hughes, Jackman, Johnson of Dearborn, Jones of Huntington, Julian, Kelley, Line, Lozier, Maddox, Meredith, Mills, Nicholson, Odell, Osborn, Place, Rice, Risner, Riley, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Snook, Spencer, Stanton, Vance, Vawter, Webster, Wilson, Winstandley, Withers, Wolfe, Young, and Mr. Speaker—62.

*Those who voted in the negative are,*

Messrs. Blakemore, Campbell, Cotton, Dawson, Donnouhe, Dougherty of Morgan, Drake, Edwards, Gessie, Gillum, Graham, Huddleston, Hunt, Johnston of Putnam, Meacham, Miller, Morgan, Orr, Parker of Allen, Parker of Brown, Pierce, Rousseau, Starbuck, Tuttle, and Wood—25.

So the bill passed.

*Ordered,* That the clerk inform the Senate thereof.

The hour having arrived, the House went into the committee of the whole, on House bill No. 239. A bill to raise a revenue for State purposes for the year 1849; Mr. Meredith in the Chair.

After some time spent in the consideration of the bill, the committee rose and made the following report, through Mr. Meredith, their chairman :

MR. SPEAKER :

The committee of the whole House, to whom was referred House bill No. 239. A bill to raise revenue for State purposes for the year 1849, have, according to order, had the same under consideration, and have directed me to report that the committee have adopted said bill without amendment, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Edwards moved to amend 2d section by adding after the word blind, where it occurs, the following:

“One half of a cent for the gradual extinguishment of the debt, which will be due by the State to the common school fund, when the bank charter shall expire, and the Bank is wound up.”

Which was not adopted.

The bill was then ordered to be engrossed.

On motion by Mr. Brady,

The rules were suspended and the bill read a third time.

Mr. Ross, of Miami, moved to recommit the bill to the committee on ways and means, with the following instructions :

“Amend first section by striking our ‘seventy-five,’ where it occurs in the said section for a poll tax, and insert ‘fifty’ in lieu thereof.

The ayes and noes being demanded by Messrs. Ross, of Miami, and Kelso.

*Those who voted in the affirmative are,*

Messrs. Barbour, Bundy, Casselberry, Cotton, Dawson, Donno-hue, Dougherty of Boone, Dougherty of Morgan, Drake, Ford, Gessie, Goldsberry, Howell, Kelley, Kelso, Line, Orr, Parker of Allen, Parker of Brown, Place, Risner, Riley, Ross of Miami, Ross of Wabash, Rousseau, Ryan, Shaw, Smith, Starbuck, Tuttle, Vance, Vawter, Wood, and Young—34.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Allen, Blakemore, Brady, Bryant, Buskirk, Caldwell, Chambers, Cockrum, Cox, Cravens, Decker, Dobson, Dowling, Doyle, Dunn, Edmonston, Edwards, Frazer, Gillum, Goodwin, Graham, Hankins, Harlan, Hendricks, Hill, Hicks, Huckleberry, Huddleston, Hughes, Hunt, Jackman, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Julian, Lozier, Maddox, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Odell, Osborn, Pierce, Rice, Rippey, Spencer, Stanton, Webster, Wilson, Winstandley, Withers, Wolfe, and Mr. Speaker—60.

So the bill was not recommitted to the committee on Ways and Means.

The question then recurring on the passage of the bill, was decided in the affirmative.

*Ordered, That the Clerk inform the Senate thereof.*

Mr. Withers moved to suspend the order of business for the purpose of introducing a bill;

Which motion did not prevail.

The House then took up the following named bill of the Senate :  
No. 20. A bill authorizing the establishment of additional Branches of the State Bank of Indiana ;

Mr. Kelso moved to amend by adding the following section :

“ Sec. — That there be a district composed of the counties of Switzerland, Ripley and Ohio, entitled to all the privileges and benefits of the provisions of this act ;”

Which was adopted.

Mr. Hendricks moved to amend,

“ Sec. — That no Branch shall be established under the provisions of this bill by the State Bank at any time after the first day of January, 1851.”

Mr. Stanton moved to amend the amendment, as follows :

“ Strike out the words “ first day of January,” and add in lieu thereof, “ at any time after the expiration of the year ;”

Which amendment to the amendment was accepted by Mr. Hendricks.

Mr. Dougherty, of Boone, moved to amend the amendment so that there shall be established at every important trading town in the State, a Branch Bank;

Which was not adopted.

The question then recurring on the amendment offered by Mr. Hendricks;

The ayes and noes being demanded by Messrs. Hendricks and Withers,

*Those who voted in the affirmative are,*

Messrs. Alexander, Barbour, Buskirk, Caldwell, Casselberry, Chambers, Cravens, Dawson, Decker, Drake, Edmonston, Frazer, Ford, Goldsberry, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Hughes, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Line, Lozier, Mills, Nicholson, Osborn, Parker of Brown, Pierce, Place, Rice, Riley, Rippey, Ross of Miami, Shaw, Smith, Snook, Spencer, Stanton, Thompson, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—50.

*Those who voted in the negative are,*

Messrs. Allen, Blakemore, Brady, Bryant, Bundy, Cockrum, Commons, Cotton, Cox, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Dowling, Doyle, Dunn, Edwards, Gessie, Gillum, Goodwin, Graham, Hankins, Huddleston, Hunt, Jackman, Johnson of Dearborn, Julian, Kelley, Kelso, Maddox, Meacham, Meredith, Miller, Morgan, Odell, Orr, Parker of Allen, Rifner, Ross of Wabash, Rousseau, Ryan, Starbuck, Tuttle, Vance Vawter, Webster, and Wilson—45.

So the amendment was adopted.

On motion,

The rules were suspended, the bill read a third time,

The question then recurring on the passage of the bill,

The ayes and noes being demanded by Messrs. Wolfe and Edmonston :

*Those who voted in the affirmative are :*

Messrs. Allen, Blakemore, Brady, Bryant, Bundy, Cockrum, Commons, Cotton, Cox, Dobson, Donnohue, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Frazer, Gessie, Gillum, Goldsberry, Goodwin, Graham, Hankins, Harlan, Huddleston, Hughes, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meacham, Meredith, Miller, Morgan, Nicholson, Odell, Orr, Parker of Allen, Place, Rifner, Ross of Miami,

Ross of Wabash, Rousseau, Ryan, Snook, Stanton, Starbuck, Tuttle, Vance, Vawter, Webster, and Wilson—58.

*Those who voted in the negative are :*

Messrs. Alden, Alexander, Barbour, Buskirk, Caldwell, Casselberry, Chambers, Cravens, Dawson, Decker, Dougherty of Boone, Edmonston, Edwards, Ford, Hendricks, Hicks, Hill, Howell, Huckleberry, James, Jones of Bartholomew, Jones of Huntington, Mills, Osborn, Parker of Brown, Pierce, Rice, Riley, Rippey, Shaw, Smith, Spencer, Thompson, Winsteadley, Withers, Wolfe, Wood, Young, and Mr. Speaker—39.

So the bill passed.

*Ordered, That the Clerk inform the Senate thereof.*

Mr. Webster moved to take from the table House bill "No. 23. A bill to authorize Jane Bushnell Jenks to hold and convey real estate," and Senate bill "No. 64. A bill in relation to the highway tax of Lagrange county," and place them on the files of the House;

Which motion did not prevail.

Mr. Dobson, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of John Smith, of Owen county, have had the same under consideration, and have directed me to report the following bill and recommend its passage ;

No. 249. A bill for the relief of John Smith, of Owen county ;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second and a third time,

The question being on the passage of the bill,

The ayes and noes being demanded by Messrs. Riley and Kelso :

*Those who voted in the affirmative are,*

Messrs. Alexander, Allen, Bryant, Bundy, Buskirk, Caldwell, Casselberry, Chambers, Cockrum, Commons, Cotton, Cox, Decker, Dobson, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Edmonston, Ford, Gessie, Goldsberry, Graham, Hankins, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Huddleston, Hughes, Jackman, Johnson of Dearborn, Jones of Bartholomew, Jones of Huntington, Kelley, Kelso, Line, Meacham, Meredith, Mills, Morgan, Nicholson, Odell, Osborn, Parker of Allen, Parker of Brown, Pierce, Place, Rice, Rifner, Rippey, Ross of Wabash, Ryan, Shaw, Smith,

**Snook, Spencer, Starbuck, Thompson, Tuttle, Vance, Vawter, Webster, Wilson, Withers, Wolfe, Wood and Mr. Speaker—71.**

*Those who voted in the negative are,*

**Messrs. Barbour, Blakemore, Dawson, Donnohue, Frazer, Gillum, Hunt, James, Johnston of Putnam, Miller, Orr, Riley, Ross of Miami, Stanton, Wade and Young—16.**

So the bill passed.

*Ordered, That the clerk inform the Senate thereof.*

A message from the Senate, by Mr. Test, their Secretary.

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill and joint resolution of the House, without amendment, to-wit :

No. 107. A preamble and joint resolution relative to the reduction of the price of public land in the great Miami National Reserve ;

No. 133. An act to repeal an act entitled "an act to extend the jurisdiction of justices of peace in the counties of Lake and Porter," approved 14th February, 1848.

On motion by Mr. Edmonston,  
The House adjourned.

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2 o'clock, P. M.

The House met.

On motion by Mr. Pierce,  
The order of business was suspended.  
Mr. Pierce from a select committee made the following report :

**MR. SPEAKER :**

The select committee to whom was referred the petition of sundry citizens of Lagrange and Elkhart counties asking for a charter for the construction of a railroad therein named, have had the same

under consideration, and a majority of said committee have instructed me to report the following bill, and respectfully recommend its passage, and ask to be discharged from the further consideration thereof. Messrs. Rippey and Webster, members of the committee, dissent from the report.

No. 250. A bill to incorporate the Elkhart and Michigan Railroad company;

Which was read a first time and passed to a second reading.

On motion by Mr. Hughes,

The order of business was suspended.

Mr. Hughes from a select committee made the following report:

MR. SPEAKER:

The select committee to which was referred the petition of James Malosh, and the statement of Mary, his wife, have had the same under consideration, and as both parties are agreed to a separation, and the *ex parte* argument will not apply in this case, report the accompanying bill, and respectfully recommend its passage:

No. 251. A bill for the relief of James and Mary Malosh;

Which was read a first time and passed to a second reading.

The hour having arrived to take up the special order of the day, which was House bill No. 238, a bill making general appropriations for the year 1849.

On motion by Mr. Kelso,

The further consideration of the bill was postponed until Tuesday next, to be made the special order for that day in the committee of the whole, at 10 o'clock, A. M.

On motion by Mr. Wolfe,

The order of business was suspended for the purpose of receiving reports from committees.

Mr. Gillum from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sundry citizens of Orange and Crawford counties praying the location of a State road, have had the subject under consideration, and directed me to report the following bill and recommend its passage, and the committee ask to be discharged.

No. 252. A bill to locate a State road in the counties of Martin, Orange and Crawford;

Which was read three several times the rules having been suspended therefor and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Wolfe from a select committee made the following report:

MR. SPEAKER :

The select committee to whom was referred House bill No. 61, have had the same under consideration, and directed me to report the same back to the House, with the following amendments, and ask to be discharged from any further consideration of the subject.

No. 61. A bill to incorporate the Evansville and Terre Haute Railroad Company.

1st, Amend the bill by striking out "Terre Haute" whenever it occurs and insert "Sullivan."

2d, Amend the 1st section by striking out "Vigo county," and all the Directors named in said county.

3d, Amend by inserting in the proper place "that the Directors shall be individually liable for all debts contracted over and above their solvent stock."

And that the Legislatures reserves the right to amend or repeal this charter any time when its provisions shall have been violated.

Mr. Withers moved to lay the bill and amendments on the table. Which motion did not prevail.

Mr. Goodwin moved to indefinitely postpone the bill.

The ayes and noes being demanded by Messrs. Riley and Ford,

*Those who voted in the affirmative are,*

Messrs. Allen, Blakemore, Bundy, Casselberry, Chambers, Cockrum, Commons, Cox, Cravens, Dowling, Doyle, Dunn, Edmonston, Edwards, Gooldsberry, Goodwin, Graham, Hankins, Huckleberry, Huddleston, Jackman, James, Jones of Huntington, Julian, Kelley, Maddox, Meredith, Mills, Morgan, Nicholson, Orr, Parker of Allen, Pierce, Rifner, Rousseau, Ryan, Shaw, Stanton, Starbuck, Tuttle, Vance, Vawter, Webster and Withers—44.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Barbour, Brady, Caldwell, Campbell, Cotton, Dawson, Decker, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Drake, Frazer, Ford, Gessie, Harlan, Hicks, Hill, Howell, Hughes, Hunt, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Lozier, Meacham, Miller, Odell, Osborn, Parker of Brown, Place, Rice, Riley, Ross of Wabash, Smith, Snook, Thompson, Wilson, Winstandley, Wolfe, Wood, Young and Mr. Speaker—45.

So the bill was not indefinitely postponed.

*Ordered*, That the Clerk make an entry upon the journal that Mr. Line was in his seat when the above question was put, and refused to vote at the call of his name.

The question then recurring on the amendments reported by the committee.

The ayes and noes being demanded by Messrs. Edwards and Allen,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Barbour, Brady, Bryant, Buskirk, Caldwell, Campbell, Cotton, Cravens, Dawson, Decker, Dobson, Donohue, Dougherty of Boone, Dougherty of Morgan, Drake, Dunn, Frazer, Ford, Gessie, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Hughes, Jackman, Johnson of Dearborn, Jones of Bartholomew, Lozier, Meacham, Odell, Orr, Osborn, Parker of Brown, Rice, Riley, Ross of Wabash, Rousseau, Smith, Spencer, Stanton, Wolfe, Wood, Young and Mr. Speaker—48.

*Those who voted in the negative are,*

Messrs. Allen, Blakemore, Bundy, Casselberry, Chambers, Commons, Cox, Dowling, Doyle, Edmonston, Edwards, Gillum, Goldsberry, Goodwin, Graham, Hankins, Huddleston, Hunt, James, Jones of Huntington, Julian, Kelley, Meredith, Miller, Mills, Morgan, Nicholson, Parker of Allen, Place, Rifner, Ryan, Snook, Starbuck, Tuttle, Vance, Vawter, Webster, Wilson and Withers—40.

So the amendments of the committee were adopted.

The question then recurring on the engrossment of the bill.

The ayes and noes being demanded by Messrs. Allen and Edwards,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Caldwell, Campbell, Dawson, Decker, Dobson, Dougherty of Boone, Dougherty of Morgan, Drake, Frazer, Ford, Gessie, Harlan, Hicks, Hill, Howell, Hughes, Johnson of Dearborn, Jones of Bartholomew, Lozier, Odell, Orr, Osborn, Parker of Brown, Place, Rice, Riley, Ross of Wabash, Rousseau, Spencer, Stanton, Winstanley, Wolfe, Wood and Young—36.

*Those who voted in the negative are,*

Messrs. Allen, Blakemore, Brady, Bryant, Bundy, Casselberry, Chambers, Cockrum, Commons, Cotton, Cox, Dowling, Doyle, Dunn, Edmonston, Edwards, Gillum, Goldsberry, Goodwin, Graham, Hankins, Huddleston, Hunt, Jackman, James, Johnston of Putnam, Jones of Huntington, Julian, Kelley, Maddox, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Parker of Allen, Rifner, Rippey, Ryan, Shaw, Snook, Starbuck, Tuttle, Vance, Vawter, Webster, Wilson, Withers and Mr. Speaker—50.

So the bill was not ordered to be engrossed.

Mr. Parker of Brown, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of James M. Spradley of Warrick county, asking to be divorced from his wife Martha, have had the same under consideration, and have directed me to report bill No 253, and recommend its passage :

No. 253. A bill to dissolve the bands of matrimony between James M. Spradley and Martha Spradley of Warrick county ;

Which was read a first time and passed to a second reading.

Mr. Ryan, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred a petition from the citizens of Adams and Fall Creek townships, Madison county, praying the passage of a law prohibiting the sale of spirituous liquors in said townships, have had the same under consideration, and instructed me to report the following bill, and recommend its passage :

No. 254. A bill to prohibit the sale of spirituous liquors in Adams and Fall Creek townships, in Madison county, by a less quantity than thirty gallons ;

Which was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Cockrum, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of William Miller and others, praying for relief, have had the subject of said petition under consideration, and have directed me to report the following bill and recommend its passage :

No. 255. A bill for the relief of certain citizens of the Seminary townships of Gibson county ;

Which was read a first time, and ordered to a second reading.

Mr. Ford, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred, the petition of John

J. Kester and 19 others, of the county of Jackson, praying the repeal of all laws authorizing the sale of liquor and declaring the sale thereof a high crime and punishable by confinement in the State Prison, have had the same under consideration, and have directed me to report it inexpedient to legislate further upon the subject as the laws now in force are ample for all grievances.

Which was concurred in.

Mr. Cotton, from a select committee, made the following report:

MR. SPEAKER :

The select committee to which was referred, the petition of John P. Dunn, Frederick Conner and others, asking a charter for a rail road from Troy to some suitable point on the Wabash river, have had the same under consideration, and have directed me to report the following bill and recommend its passage.

No. 256. A bill to incorporate the Troy and Wabash Rail Road Company.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Barbour, from a select committee, made the following report:

MR. SPEAKER :

The select committee to which was referred, the petition of sundry citizens of Bartholomew county, on the subject of roads, have instructed me to report the accompanying bill and recommend its passage:

No. 257. A bill in relation to roads and bridges in Bartholomew county.

Which was read a first time and passed to a second reading.

On motion by Mr. Barbour,

The rules were suspended, bill read a second time and ordered to be engrossed.

Mr. Cockrum, from a select committee, made the following report:

MR. SPEAKER :

The select committee to which was referred, the petition of sundry citizens of Gibson county, praying for a change in the local law regulating the opening and repairing roads and public highways in said county, the committee have had the same under consideration,

and ordered me to present the following bill, and recommend its passage:

No. 258. A bill to repeal an act therein named.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered,* That the Clerk inform the Senate thereof.

Mr. Caldwell, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred, Senate bill No. 86, entitled, an act in relation to the New Albany and Salem Rail Road Company, have had the same under consideration, and have directed me to report, that in the opinion of a majority of the committee, the bill conflicts with the provisions of an act, entitled, "an act for the benefit of the New Albany and Salem Rail Road Company," approved February 11th, 1848, and consequently is proper for the consideration of the judiciary committee, and therefore recommend the reference of the same to said committee.

Which report was not concurred in.

Mr. Cravens moved to insert after the words "point or points" in the first section, the following:

"Beyond Salem, provided, that the said company shall not have power to borrow money for the construction of any work until there is a sufficient amount of solvent stock subscribed to insure its completion."

Mr. Winstandley moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Cravens and Parker of Allen,

*Those who voted in the affirmative are,*

Messrs. Allen, Bundy, Buskirk, Chambers, Commons, Cotton, Cox, Dobson, Donnohue, Dowling, Edmonston, Edwards, Frazer, Ford, Hankins, Harlan, Hicks, Huckleberry, Huddleston, Hughes, Johnson, of Putnam, Julian, Maddox, Meredith, Miller, Mills, Morgan, Orr, Parker, of Allen, Rifner, Rippey, Ryan, Shaw, Smith, Stanton, Starbuck, Tuttle, Vawter, Webster, Winstandley, Withers, Wolfe, and Wood—43.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Barbour, Blakemore, Brady, Bryant,

Caldwell, Cravens, Dawson, Decker, Dougherty, of Boone, Dougherty, of Morgan, Doyle, Drake, Dunn, Duvall, Gessie, Gillum, Goldsberry, Hill, Howell, Jackman, James, Johnston, of Dearborn, Kelly, Kelso, Line, Lozier, Meacham, Nicholson, Odell, Parker, of Brown, Pierce, Place, Rice, Riley, Ross, of Miami, Snook, Spencer, Thompson, Vance, Wilson, Young, and Mr. Speaker—44.

So the amendment was not laid on the table.

The question then recurring on the adoption of the amendment,  
The ayes and noes being demanded by Messrs. Cravens and Caldwell,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Barbour, Cox, Cravens, Dawson, Decker, Dougherty of Morgan, Dunn, Duvall, Edwards, Goodwin, Hendricks, Hicks, Hill, Jackman, Jones, of Bartholomew, Jones, of Huntington, Kelley, Line, Lozier, Nicholson, Odell, Parker, of Brown, Place, Rice, Ross, of Miami, Snook, Spencer, Stanton, Vawter, Wilson, and Withers—33.

*Those who voted in the negative are*

Messrs. Allen, Blakemore, Brady, Bundy, Buskirk, Casselberry, Chambers, Cockrum, Commons, Cotton, Dobson, Donnohue, Dougherty of Boone, Dowling, Doyle, Edmonston, Frazer, Ford, Gessie, Graham, Hankins, Harlan, Hucklebury, Huddleston, Hughes, Hunt, James, Johnson, of Dearborn, Johnston, of Putnam, Julian, Meacham, Meredith, Miller, Morgan, Orr, Osborn, Parker of Allen, Rifner, Rippey, Ross of Wabash, Ryan, Smith, Tuttle, Vance, Webster, Withstandley, Wolfe, Wood, Young, and Mr. Speaker—50.

So the amendment was not adopted.

Mr. Caldwell moved to add the following proviso to the second section :

*“Provided, That said New Albany and Salem Railroad Company shall not establish any depot, nor make or have any other track within, or terminating within, half a mile of the crossing of said Ohio and Indianapolis Railroad, without the consent of the last named Company.”*

Which was not adopted.

Mr. Cravens moved to amend by inserting in the proper place—

*“That no money borrowed by the Salem and New Albany Railroad Company shall be applied to the construction of the Charlestown Branch of said Road, without the consent of a majority of the Directors living in Washington county.”*

The ayes and noes being demanded by Messrs. Cravens and Thompson :

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Barbour, Blakemore, Brady, Bryant, Caldwell, Campbell, Cockrum, Commons, Cox, Cravens, Dawson, Dougherty, of Morgan, Drake, Dunn, Edwards, Ford, Gessie, Goldsberry, Goodwin, Graham, Hendricks, Hicks, Jackman, Johnson, of Dearborn, Jones, of Bartholomew, Jones, of Huntington, Kelley, Kelso, Line, Nicholson, Odell, Osborn, Parker, of Brown, Place, Rice, Riley, Ross, of Miami, Ross, of Wabash, Spencer, Stanton, Thompson, Tuttle, Vance, Vawter, Wilson, Wolfe, and Mr. Speaker—49.

*Those who voted in the negative are,*

Messrs. Allen, Bundy, Buskirk, Casselberry, Cotton, Dobson, Donohue, Dougherty, of Boone, Dowling, Edmonston, Frazer, Gillum, Hankins, Harlan, Hill, Huckleberry, Huddleston, Hughes, Hunt, James, Johnston, of Putnam, Lozier, Meacham, Meredith, Miller, Morgan, Orr, Parker, of Allen, Rifner, Rippey, Ryan, Shaw, Snook, Webster, Winstandley, Withers, and Wood—37.

So the amendment was adopted.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Bundy, on leave, offered the following resolution :

*Resolved*, That when this House adjourns on to-morrow afternoon it will adjourn to meet again on Tuesday morning next, and that the use of this Hall is hereby tendered to the members of the Democratic Convention on the 8th instant.

Which was adopted.

Leave of absence was granted to Mr. Allen.

Mr. Wood, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of citizens of Huntsville and its vicinity, praying the change of the name of Huntsville, in Randolph county, to that of Trenton, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 259. A bill to change the name of Huntsville, in the county of Randolph, to that of Trenton ;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and ordered to be engrossed.

On motion,

The rules were suspended, and the bill read a third time.

Mr. Allen moved that the House adjourn.

Which motion did not prevail.

Mr. Line moved to recommit the bill to the same select committee, with instructions "to insert an additional section that will in no wise affect the rights of any person or persons who shall be owners of either real or personal property in said town."

Which motion prevailed.

Mr. Winstandley, on leave, offered the following resolution :

*Resolved*, That a select committee of five be appointed to inquire into and report to the House the amount of scrip commonly called "White Dog," which was outstanding July 1, 1847, stating in detail the amount issued by the Commissioners, Superintendents, or Engineers on the Wabash and Erie Canal, and by the State, and the respective cancellations.

Which was adopted.

The Speaker appointed Messrs. Winstandley, Blakemore, Drake, Dowling, and Spencer said committee.

Mr. Kelso, on leave,

Presented the petition of citizens of Switzerland county, praying for the removal of the county seat of said county ;

Which,

On motion,

Was referred to the same select committee to whom was referred a petition and remonstrance on the same subject, consisting of,

Messrs. Kelso, Ryan, and Shaw.

Mr. Kelso, on leave,

Presented the petition of sundry citizens of Switzerland county for the vacation of a certain road ;

Which was referred to a select committee, consisting of,

Messrs. Kelso, Ryan, and Shaw.

Mr. Shaw, from a select committee, made the following report :

MR. SPEAKER :

We, the committee to whom was referred Senate bill, No. 54, entitled "An act to amend the Peru and Indianapolis Railroad charter," have had the same under consideration, and directed me to report the same back without amendment, and recommend its passage ;

Which was read a second time, and ordered to be engrossed.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Webster,

House bill No. 23, "a bill to authorize Jane Bushnell Jenks to hold and convey real estate," and Senate bill No. 64, "a bill in relation to the highway tax of Lagrange county," were taken from the table and placed on the files of the House.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

No. 45. An act to amend an act entitled "an act to incorporate the Knightstown and Shelbyville Railroad company," approved January 19, 1846.

No. 94. An act to authorize the erection of a new seminary in Henry county.

No. 118. An act in relation to the duties of Auditor and Agent of State.

No. 75. An act to repeal so much of section 54, chapter 12, of the Revised Statutes of 1843, as requires the county treasurer to attend at the places of holding elections in each township for the purpose of collecting taxes, so far as relates to the counties of Allen, Jefferson, Henry, and White.

No. 119. An act to legalize the election of a prosecuting attorney in the county of Daviess.

No. 105. An act for the relief of Magdelina Pfalzgraf.

No. 149. An act relative to the commissioners of the western division of the Buffalo and Mississippi Railroad company.

No. 88. An act to facilitate the discharge of mortgages given to the State of Indiana for the payment of bank stock.

No. 116. An act to change the mode of doing county business in the county of Warrick, from justices of the peace to commissioners.

No. 79. An act for the relief of certain land owners within the corporate limits of the city of Rising Sun, in Ohio county.

No. 112. An act to amend an act entitled "an act to regulate the mode of doing county business in the county of Elkhart," approved January 13, 1845.

Whereupon, the Speaker signed the same.

*Ordered,* That the Clerk inform the Senate thereof.

On motion by Mr. Dunn,  
Senate bill No. 19 was taken up.

No. 19. An act to amend an act entitled "an act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, and to amend the same," approved February 14, 1848.

Which was read a third time, and passed.

*Ordered,* That the Clerk inform the Senate thereof.

On motion by Mr. Wolfe,  
The House adjourned.

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SATURDAY MORNING, JAN. 6, 1849.

The House met.

On motion by Mr. Julian,  
The reading of the journal was dispensed with.

On motion by Mr. Miller,  
The order of business was dispensed with, for the purpose of receiving reports from select committees.

Mr. Miller, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of St. Joseph county, asking that a certain portion of said county be attached to Laporte county, have had the same under consideration, and have directed me to report the following bill for the action of the House, and ask to be discharged from the further consideration thereof.

No. 260. A bill to attach additional territory to the county of Laporte, and for other purposes;

Which was read a first time and passed to a second reading.

Mr. Winstandley, on leave, introduced

No. 261. A bill to provide for the speedy completion of the Indiana Hospital for the Insane;

Which was read a first time, and passed to a second reading.

On motion by Mr. Winstandley,

The rules were suspended, and the bill read a second time, and referred to the committee of ways and means.

Mr. Carr, from a select committee, made the following report :

**MR. SPEAKER :**

A majority of the select committee to which was referred the petition of sundry citizens of Jackson county, praying certain territory to be attached to the county of Lawrence, have had the same under consideration, and directed me to report the following bill and recommend its passage.

Mr. Ford, of Jackson, a member of the committee, dissents from the report of the majority.

No. 262. A bill to straighten the line dividing the counties of Lawrence and Jackson ;

Was read a first time, and passed to a second reading.

Mr. Decker, on leave, introduced

No. 263. A bill for the relief of the heirs of Alexander Smith, late of Adams county, deceased.

Which was read three several times, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Cox, on leave, introduced

No. 264. A bill to incorporate the Rushville Female Institute ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Bundy presented the petition of citizens of Henry county, praying for a charter for a company to construct a plank road ;

Which,

On motion,

Was referred to a select committee, consisting of, Messrs. Bundy, Rifner, and Stanton.

Mr. Withers, on leave, introduced

No. 265. A bill for the relief of the heirs of William Whaley, deceased ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Orr moved to take from the table "No. 19, a bill regulating witnesses' fees in this State ;"

Which motion did not prevail.

Mr. Graham, on leave, introduced

No. 266. A bill to amend article 13, chapter 40, Revised Statutes of 1843 ;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

Mr. Ryan on leave introduced,

No. 267. A bill to incorporate the town of Anderson in Madison county;

Which was read a first time and passed to a second reading.

On motion by Mr. Kelso,

The rules were suspended and the bill read a second time, and referred to the committee on corporations.

Mr. Vawter on leave introduced,

No. 268. A bill to amend an act to provide for the election of Prosecuting Attorneys by the people, approved January 27, 1847;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time and referred to the committee on the judiciary.

Mr. Gessie on leave introduced,

No. 269. A bill to incorporate the Montezuma Canal Lock Company;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time, and referred to the committee on corporations.

Mr. Wolfe on leave introduced,

No. 270. A bill to curtail the expenses of the State;

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time,

Mr. Kelso moved to indefinitely postpone the bill.

Mr. Hendricks moved to lay the bill on the table.

The ayes and noes being demanded by Messrs. Wolfe and Vance,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Barbour, Brady, Campbell, Cockrum, Cotton, Cox, Cravens, Decker, Dobson, Dougherty, of Boone, Dowling, Drake, Dunn, Edmonston, Edwards, Ford, Goodwin, Hankins, Harlan, Hendricks, Howell, Huddleston, Hunt, Jackman, Johnson, of Dearborn, Jones, of Huntington, Julian, Kelso, Line, Lozier, Maddox, Meredith, Miller, Mills, Nicholson, Orr, Place, Rice, Rifner, Ross, of Wabash, Rousseau, Ryan, Shaw, Smith, Snook, Spencer, Starbuck, Thompson, Tuttle, Vawter, Webster, Wilson, Winstanley, and Wood—56.

*Those who voted in the negative are,*

Messrs. Alexander, Blakemore, Bryant, Bundy, Caldwell, Casselberry, Chambers, Commons, Dawson, Donnohue, Dougherty, of Mor-

gan, Doyle, Duvall, Frazer, Gillum, Goldsberry Graham, Hicks, Hill, Hughes, Johnston, of Putnam, Jones, of Bartholomew, Kelley, Meacham, Morgan, Odell, Osborn, Parker, of Allen, Parker, of Brown, Riley, Rippey, Vance, Withers, Wolfe, Young, and Mr. Speaker —36.

So the bill was laid on the table.

Mr. Johnston, of Putnam, from a select committee made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Greencastle, praying for a charter of incorporation, have had that subject under consideration, and have directed me to report the accompanying bill and recommend its passage.

No. 271. A bill to incorporate the town of Greencastle in the county of Putnam ;

Which was read a first time, and,

On motion by Mr. Wolfe,

The rules were suspended, the bill read a second time and referred to the committee on corporations.

Mr. Allen, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of A. W. Hull and others, praying an amendment of charter of the borough of Vincennes, have had the same under consideration and have directed me to report the accompanying bill and recommend its passage.

No. 272. A bill to amend the charter of the borough Vincennes ;

Which was read a first time, and,

On motion by Mr. Wolfe,

The rules were suspended, the bill read a second time and referred to the committee on corporations.

On motion by Mr. Wilson the order of business was suspended.

Mr. Wilson offered the following resolution :

*Resolved*, That the Senate agreeing thereto, the resolution of both branches of this Legislature fixing the time on Tuesday, the 16th inst., as the day of adjournment *sine die*, be and the same is hereby rescinded.

Mr. Edmonston moved to lay the resolution on the table.

The ayes and noes being demanded by Messrs. Wolfe and Julian,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Allen, Blakemore, Caldwell, Campbell, Chambers, Commons, Cox, Cravens, Dawson, Decker, Donnohue, Dougherty, of Boone, Dougherty, of Morgan, Dowling, Doyle, Duvall, Edmonston, Frazer, Goldsberry, Graham, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Huddleston, Hughes, Hunt, James, Johnson, of Dearborn, Johnston, of Putnam, Jones of Huntington, Julian, Kelley, Line, Lozier, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Parker, of Allen, Parker, of Brown, Pierce, Place, Rifner, Rippey, Ross, of Wabash, Shaw, Smith, Snook, Spencer, Starbuck, Winstandley, Withers, Wolfe, Wood, and Young—65.

*Those who voted in the negative are,*

Messrs. Barbour, Brady, Bryant, Bundy, Cockrum, Cotton, Dobson, Drake, Dunn, Edwards, Ford, Gillum, Hankins, Jackman, Jones, of Bartholomew, Kelso, Maddox, Rice, Riley, Ross, of Miami, Rousseau, Ryan, Thompson, Tuttle, Vance, Vawter, Webster, Wilson, and Mr. Speaker—29.

So the resolution was laid on the table.

Mr. Miller, moved to suspend the rules, to allow him to introduce a resolution;

Which motion did not prevail.

Mr. Cotton, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to which was referred a petition on the subject of a re-survey of the town of Troy, have had the subject under consideration and have directed me to report a bill and recommend its passage :

No. 273. A bill to authorize a survey and the making of a plat of the town of Troy, in Perry county ;

Which was read the first time and passed to a second reading.

Mr. Wood, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred bill of the House, No. 259, entitled "A bill to change the name of Huntsville, in Randolph county, to that of Trenton," with certain instructions, have had the same under consideration, made one amendment thereto :

Add the following section, to-wit :

Sec. 2. That the changing the name of said town, shall, in nowise effect the title of property of any description whatsoever,

but the same shall remain in full force, and as valid as though this act had never been passed."

And with the adoption of said amendment, recommend the passage of the bill.

Which was concurred in.

The bill as amended was read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Riley, from the select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred bill of the Senate, No. 76, have had that subject under consideration and directed me to report the following amendments, which when adopted, they recommend its passage:

No. 76. A bill to define the jurisdiction of justices of the peace, in the several counties therein named.

Amend by adding in the first section, the "County of Greene," and insert after the word "exclusive," the word "original," and "add," except in the offences described in sections 64, 93, 95, 99, 102, 103, 110, of article two, chapter fifty-three, of the Revised Statutes of 1843.

Amend further by adding the following sections:

Sec.—. In all cases, the justice of the peace, before whom such cause may be pending, shall, in all things, be governed by the laws now in force, granting appeals, changes of venue, continuances, and recognizing, so far as the same may be applicable.

Sec.—. When any of the offences specified in the acts to which this act refers, shall have been committed, and the proper witnesses shall fail or refuse to make complaint, it shall be the duty of the acting justice of the peace of the proper township nearest to where such offence may have been committed, to summon such witness or witnesses to appear before him and testify concerning offence, as well before as after the issuing of a warrant for the arrest of the offender, and the powers and duties of circuit courts to compel the attendance of witnesses before the Grand Juries, are hereby extended to Justices of the Peace.

Sec.—. The aggrieved party may send for the Prosecuting Attorney of the proper county, whose duty it shall be to prosecute such cause, and upon such conviction, shall be allowed \$2 50, to be paid by the party convicted.

Which amendments were severally adopted.

On motion by Mr. Kelso,

The counties of Switzerland and Ohio, were added to the provisions of the bill.

On motion by Mr. Maddox,  
The county of Fountain was added to the provisions of the bill.

On motion by Mr. Alden,  
The county of Dearborn was added to the provisions of the bill.

On motion by Mr. Harlan,  
The county of Grant was added to the provisions of the bill.

On motion by Mr. Kelley,  
The county of Ripley was added to the provisions of the bill.

On motion by Mr. Line,  
The county of Franklin was added to the provisions of the bill.

On motion by Mr. Hughes,  
The county of White was added to the provisions of the bill.

On motion by Mr. Parker,  
The county of Brown was added to the provisions of the bill.

On motion by Mr. Allen,  
The county of Knox was added to the provisions of the bill.

On motion by Mr. Howell,  
The county of Blackford was added to the provisions of the bill.

On motion by Mr. Barbour,  
The county of Bartholomew was added to the provisions of the bill.

On motion by Mr. Dunn,  
The county of Jefferson was added to the provisions of the bill.

On motion by Mr. Rippey,  
The county of Elkhart was added to the provisions of the bill.

On motion by Mr. Drake,  
The county of Marion was added to the provisions of the bill.

On motion by Mr. Vawter,  
The county of Jennings was added to the bill.

On motion by Mr. Decker,  
The counties of Adams and Wells were added to the provisions of the bill.

On motion by Mr. Cockrum,  
The county of Gibson was added to the provisions of the bill.

On motion by Mr. Dobson,  
The county of Owen was added to the provisions of the bill.

On motion by Mr. Snook,  
The county of Montgomery was added to the provisions of the bill.

On motion by Mr. Buskirk,  
The county of Monroe was added to the provisions of the bill.

On motion by Mr. Duvall,  
The county of Parke was added to the provisions of the bill.

On motion,  
The rules were suspended, the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Dunn, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of Jonathan Fitch, and others, praying the addition of other territory to the corporation limits of the city of Madison, have had that subject under consideration, and have directed me to report the following bill, and recommend its passage :

No. 274. A bill to extend the corporation limits of the city of Madison ;

Was read the first time, and passed to a second reading.

Mr. Kelso, from a select committee, made the following report;

MR. SPEAKER :

The select committee to whom was referred the petition of David Lostutter, and others, have had that matter under consideration, and directed me to report the following bill, and recommend its passage :

No. 275. A bill to locate a State road in the county of Switzerland ;

Was read the first time, and passed to a second reading.

Mr. Buskirk moved to suspend the order of business and grant him leave to make a report from the committee of ways and means,

Which motion did not prevail.

Mr. Frazer moved to suspend the order of business for the purpose of receiving reports from standing committees,

Which motion did not prevail.

Mr. Miller introduced the following resolution :

*Resolved*, That from Tuesday next this House will hold night sessions, from seven until nine o'clock each evening, for the remainder of the present session ;

Mr. Edmonston moved to lay the resolution on the table,

Which motion did not prevail.

Mr. Kelso moved to strike out "Tuesday," and insert "Thursday,"

Which motion prevailed, and the resolution, as amended, was adopted.

Mr. Orr introduced the following resolution :

*Resolved*, That this House will hereafter, during the remainder of this session, meet at half past eight o'clock, A. M., and half past one o'clock, P. M., of each day ;

Which, under the rule, lies over one day.

Mr. Odell introduced the following resolution :

*Resolved*, That the judiciary committee be requested to inquire whether the present fees allowed by law to printers, for printing the delinquent list are not too high, and require some modification ;

Which was not adopted.

On motion by Mr. Edmonston,

The order of business was suspended.

Mr. Edmonston introduced,

No. 276. A bill to provide for the election of a Prosecuting Attorney in the 4th Judicial Circuit;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time.

Mr. Ross, of Miami, moved to amend the bill by inserting "the 8th Judicial Circuit;"

Which was adopted.

On motion by Mr. Ross, of Wabash,

The county of Wabash was exempted from the provisions of the bill.

Mr. Frazer moved to add "8th," after "4th;"

Which amendment was adopted.

Mr. Blakemore moved to commit the bill to a select committee, "with instructions to provide in the bill that the present prosecuting attorneys shall hold their offices until the expiration of their present term, and to provide that nothing herein shall be so construed as to prevent any prosecuting attorney whose term does not expire until 1850, from being a candidate for the election of circuit prosecuting attorney."

Which motion did not prevail.

Mr. Hendricks moved to amend the 4th section by adding the following proviso :

*"And provided, That the prosecuting attorneys who may be elected under the provisions of this act shall not be entitled to any pay or salary from the State of Indiana."*

Which was adopted.

Mr. Casselberry moved to add the following proviso :

*"Provided, That the provisions of this act shall not extend to the county of Posey until after the expiration of the term of service of the present incumbent."*

Mr. Cotton moved to amend the amendment by adding the county of "Perry" after the county of "Posey."

Which amendment to the amendment was adopted.

Mr. Rice moved to further amend the amendment by adding the county of "Crawford," after the county of "Perry."

Which amendment to the amendment was adopted.

Mr. Ross, of Miami, moved to exempt the county of Cass from the provisions of the bill.

Which motion prevailed.

On motion by Mr. Dowling,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Carr introduced,

No. 277. A bill relating to the dockets of justices of the peace in Pleasant Run township, in Lawrence county;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Drake introduced,

No. 278. A bill permitting Polly Garland, an insane person, to be placed in the Lunatic Asylum;

Which was read a first time and passed to a second reading.

Mr. Huddleston introduced,

No. 279. A bill to prevent the sale of spirituous liquors in Posey township, in Rush county;

Which was read a first time, and passed to a second reading.

Mr. Huddleston moved to suspend the rules and read the bill a second time.

Which motion did not prevail.

Mr. Huckleberry introduced,

No. 280. A bill in relation to the Agent of State for loaning the surplus revenue in Clarke county;

Which was read a first time, and passed to a second reading.

Mr. Huckleberry moved to suspend the rules and read the bill a second time.

Which motion did not prevail.

Mr. Blakemore introduced,

No. 281. A bill to authorize the Board of Commissioners of the county of Howard to borrow money for a certain purpose;

Which was read a first time, and passed to a second reading.

Mr. Allen introduced,

No. 282. A bill to incorporate the Knox Insurance Company;

Which was read a first time, and passed to a second reading.

Mr. Allen moved to suspend the rules and read the bill a second time.

Which motion did not prevail.

Mr. Hicks introduced,

No. 283. A bill to incorporate the United States Insurance Company;

Which was read a first time, and passed to a second reading.

Mr. Hicks moved to suspend the rules, and read the bill a second time.

Which motion did not prevail.

Mr. Edwards introduced,

No. 284. A bill regulating the printing of certain annual reports therein named;

Which was read a first time, and passed to a second reading.

Mr. Dunn introduced,

No. 285. A bill to incorporate the Madison Manufacturing and Ship Yard Company ;

Which was read a first time, and passed to a second reading.

Mr. Orr introduced,

No. 286. A bill to regulate witnesses' fees in the eleventh judicial circuit in this State ;

Which was read a first time, and passed to a second reading.

Mr. Julian introduced,

No. 287. A bill to amend the charter of the town of Williamsburg, in Wayne county ;

Mr. Place introduced,

No. 288. A bill to amend an act, entitled " An act for the extension of a road, in Laporte county. to Winnemac, in Pulaski county ;

Mr. Hicks introduced,

No. 289. A bill repealing an act, approved Jan. 15, 1844, in relation to the duty of county treasurers ;

Mr. Hankins introduced,

No. 290. A bill to incorporate the Connersville Turnpike Company ;

Which were each severally read a first time, and passed to a second reading.

Mr. Goodwin introduced,

No. 291. A bill to authorize the County Commissioners of Daviess county to vacate State roads therein named, and for other purposes ;

Which was read a first time, and passed to a second reading.

Mr. Goodwin moved to suspend the rules, and read the bill a second time.

Which motion did not prevail.

Mr. Julian introduced,

No. 292. A bill to amend article 5th of the Revised Statutes of 1843, relative to writs of *ad quod damnum*.

Mr. Place introduced,

No. 293. A bill to incorporate the Eclectic Medical Institute of Indiana.

Mr. Wolfe introduced,

No. 294. A bill to repeal the latter part of the 6th section of an act in relation to the northern division of the central canal, approved 13th January 1846.

Mr. Snook introduced,

No. 295. A bill in relation to a State road.

Mr. Commons introduced,

No. 296. A bill relative to justices of the peace.

Which were each severally read a first time and passed to a second reading.

Mr. Casselberry introduced,

No. 297. A bill regulating the mileage of members of the General Assembly and others ;

Which was read a first time, and passed to a second reading.  
 Mr. Casselberry moved to suspend the rules, and read the bill a second time,

Which motion did not prevail.

On motion by Mr. Dowling,

The order of business was suspended for the purpose of giving the committee of ways and means an opportunity to make a report.

Mr. Buskirk from the committee on ways and means made the following report :

MR. SPEAKER :

The committee on ways and means to whom was referred so much of the Governor's message as refers to the more effectual method of levying and collecting taxes on invisible property, and the affixing pecuniary penalties on such as may refuse to give correct lists of their property, and also sundry resolutions of this House relating thereto, have had that subject under consideration and a majority have directed me to report the following bill and recommend its passage. And the committee ask to be discharged from the further consideration of the subject.

No. 298. A bill for the more effectual, just and equal assessment of personal property, moneys, credits and capital stock of money and stock corporations ;

Which was read a first time and passed to a second reading.

On motion by Mr. Meredith,

The rules were suspended and the bill read a second time.

Mr. Kelso moved to lay the bill on the table and print 300 copies.

Mr. Line moved to print 500 copies.

Which motion did not prevail.

The question then recurring on printing 300 copies, was decided in the affirmative.

Mr. Frazer from the committee on ways and means made the following report :

MR. SPEAKER :

The committee of ways and means to whom was referred House bill No. 205, a bill for the relief of B. B. McFarland, Cephas and Henry McFarland, have had it under consideration, and have directed me to report it back to the House, with one amendment, and when so amended recommend its passage.

No. 205. A bill for the relief of Bowen B. McFarland, Cephas and Henry McFarland, late of the United States army in Mexico.

Strike out the bill from the enacting clause and insert the following :

"That the time for the payment of all taxes which may be due in any county or counties in this State against Bowen B. McFarland,

Cephas McFarland and Henry McFarland, heirs of James McFarland, dec'd, or against either of them, or against lands owned by them, or either of them, is hereby extended until the year 1849; and it shall be the duty of the several county auditors, where such taxes may be levied to carry such taxes to the duplicate of taxes for said year 1849; and no penalty shall be charged for the non-payment of said taxes in the year 1848.

Sec. 2. This act shall be in force from and after its passage;

Which amendment was concurred in.

The bill as amended was then ordered to be engrossed.

ORDERS OF THE DAY.

*House Bills on third reading.*

No. 23. A bill to authorize Jane Bushnell Jenks to hold and convey real estate;

Was read a third time and passed.

*Ordered,* That the Clerk inform the Senate thereof.

No. 34. A bill to regulate the fees and salaries of certain officers in Delaware county.

Mr. Orr moved to refer the bill to a select committee, with the following instruction:

Amend the second section third line by inserting after the word "hands" the following, "in the collecting the State, county and road tax of said county;"

Also same section fourth line strike out all from the word "hands" to the word "the" where it occurs the second time in the fifth line;

Which motion prevailed, and Messrs. Orr, Snook and Vawter appointed said committee.

No. 56. A bill to prevent treasurers and other officers from receiving constructive per centages,

Was read a third time and passed.

*Ordered,* That the clerk inform the Senate thereof.

Mr. Barbour moved to take Senate bill

No. 62. A bill to legalize the location of a certain State road therein named;

Which motion did not prevail.

No. 83. A bill to prevent intemperance in Wayne township in the county of Henry.

Mr. Bundy moved to amend as follows:

Add to the first section the words "Greensboro', Spiceland and Harrison townships," and strike out the words "give away," also add in the proper place in the last section the words, "and this is hereby declared to be a public act;"

Which was adopted.

The bill was then read a third time and passed.

On motion by Mr. Bundy,

The title was so amended as to read as follows, "A bill to prevent intemperance in Wayne, Greensboro, Spiceland and Harrison townships in the county of Henry."

*Ordered*, That the clerk inform the Senate thereof.

No. 106. A bill to incorporate the Moscow and Blooming Grove Turnpike Company;

No. 110. A bill incorporating the Perrysville and Danville and Perrysville and Georgetown Plank road company.

No. 124. A bill to incorporate the Covington Drawbridge Company.

Were each severally read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 134. A bill to repeal the latter part of the 16th section of the 10th chapter of the Revised Statutes of 1843, in reference to notice to non-residents.

On motion by Mr. Kelso,

The bill was laid on the table.

No. 146. A bill to incorporate the Mt. Carmel and Harrison Turnpike Company;

No. 174. A bill defining the boundaries of the county of Blackford;

No. 189. A bill to amend an act entitled "An act to incorporate the Henry county Turnpike Company," approved December 5th, 1848;

No. 257. A bill in relation to roads and bridges in Bartholomew county;

Were each severally read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Ross, of Miami, moved that the House adjourn.

Which motion did not prevail.

On motion by Mr. Huckleberry,  
The House adjourned.

*Two o'clock, P. M.*

The House met.

Mr. Bryant moved to take up bill

No. 167. A bill to increase and extend the benefits of common schools.

Which motion did not prevail.

A message from His Excellency, the Governor, by Mr. Carr, his private secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that on yesterday he approved and signed the following bills and joint resolutions :

No. 69. An act to incorporate the United Protestant German Saint Zion Church, in Union township, Shelby county ;

No. 42. An act to authorize the commissioners of Hamilton, Miami, and Tipton counties to borrow money ;

No. 241. An act to provide for the publication of ordinances in the town of Terre Haute ;

No. 20. An act for the relief of Isaac Hardy and others ;

No. 36. An act to change the name of Andrew Turner, alias John Turner, to that of John Anderson Barnes ;

No. 122. An act to extend the time of working roads and highways in the county of Clay ;

No. 116. An act to change the mode of doing county business in the county of Warrick, from justices of the peace to county commissioners ;

No. 100. An act for the relief of Matthew McPhertridge, of the county of Monroe ;

No. 108. An act relative to the board of commissioners of the county of Boone ;

No. 123. An act to change the name of the town of Fleenersburgh, in the county of Monroe, to that of Unionville, and for other purposes ;

No. 52. An act for the relief of Alvin N. Blackridge, and the heirs of Robert Thompson, deceased ;

No. 121. An act to authorize the probate court in Bartholomew county to sit two weeks at its February term ;

No. 149. An act relative to the commissioners of the western division of the Buffalo and Mississippi railroad company ;

No. 98. An act to authorize Zebina Warriner, of Decatur county, to file a bill in chancery ;

- No. 84. An act for the relief of Christian Aigner ;
- No. 112. An act to amend an act entitled "An act to regulate the mode of doing township business in the county of Elkhart," approved Jan. 13, 1845 ;
- No. 144. An act to repeal an act therein named, so far as the same relates to Owen county ;
- No. 168. An act to provide for the selection of petit jurors in the county of Jackson ;
- No. 105. An act for the relief of Magdelina Pfalzgraf ;
- No. 92. An act to authorize the county commissioners of La porte county to borrow money, and for other purposes ;
- No. 67. An act for the relief of Aaron Wheeler, of Laporte county ;
- No. 62. An act to amend an act entitled "An act to incorporate the Kosciusko, Elkhart, and Miami Railroad Company ;"
- No. 68. An act to authorize the election of an additional justice of the peace in Adams township, in Monroe county ;
- No. 86. An act to locate a State road from Fairfax, in Monroe county, to Finley's Mills, in Jackson county ;
- No. 45. An act to amend an act entitled "an act to incorporate the Knightstown and Shelbyville Railroad Company ;" approved Jan. 19, 1846 ;
- No. 75. An act to repeal so much of section 54, chapter 12, of the revised statutes of 1843, as requires the county treasurers to attend at the places of holding elections in each township for the purpose of collecting taxes, so far as relates to the several counties therein named ;
- No. 79. An act for the relief of certain land owners within the corporation limits of the city of Rising Sun, in Ohio county ;
- No. 88. An act to facilitate the discharge of mortgages given to the State of Indiana for the payment of bank stock ;
- No. 94. An act to authorize the erection of a new Seminary in Henry county ;
- No. 119. An act to legalize the election of a Prosecuting Attorney in the county of Daviess ;
- No. 118. An act in relation to the duties of Auditor and Agent of State ;
- No. 96. A joint resolution in relation to the time of payment of the semi-annual interest due to the bond holders of this State.
- All of which originated in the House of Representatives January 6th, 1849.
- Mr. Hill moved to suspend the order of business for the purpose of presenting a petition ;  
Which motion did not prevail.

## ORDERS OF THE DAY.

*House Bills on Second Reading.*

No. 155. A bill to prevent the sale of spirituous liquors in Dalton township, Wayne county;

No. 235. A bill defining the mode of appointing trustees of the county library, of Sullivan county;

No. 156. A bill to repeal a certain law therein named, so far as relates to the county of Elkhart;

No. 157. A bill relative to the Seminary fund in Cass county;

No. 158. A bill to locate a State road in the counties of Allen and DeKalb;

No. 160. A bill to change a part of the Indianapolis and Pendleton State road;

No. 162. An bill to amend an act entitled an act to incorporate the Rushville and Lawrenceburgh Railroad Company;

No. 164. A bill to locate a State road in the counties of La-grange and Elkhart;

No. 265. A bill to prevent the poisoning of fish in the county of Greene;

No. 166. A bill to locate a State road fram Wabash in Wabash county, *via* Bluffton in Wells county, to Fort Recovery in Ohio;

No. 163. A bill to extend the time of payment to the purchasers of the school lands, and for other purposes;

Were each severally read a second and third times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Nor 168. A bill for the relief of John T. Custer;

Was read a second time.

Mr. Meredith moved to strike out "Wayne" wherever it occurs, and insert "Fayette;"

Which amendment was adopted.

On motion by Mr. Hankins,

The bill was laid on the table.

No. 161. A bill providing for the election of township assessors in Dearborn county;

Was read a second time, and,

On motion,

Referred to a select committee consisting of Messrs. Johnson of Dearborn, Lozier and Alden.

No. 170. A joint resolution relative to land selected by the State of Indiana for canal purposes;

Was read a second time, and ordered to be engrossed.

On motion,

The rules were suspended, and the joint resolution read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Kelso,

The vote was reconsidered on referring No. 161, a bill providing for the election of township assessors in Dearborn county;

The question then recurring on the reference was decided in the negative.

Mr. Kelso moved to amend the bill as follows:

1st. Add "Switzerland and Ohio counties."

2d. Strike out "fifty cents" and insert "one dollar;"

Which amendments were adopted.

The rules were suspended and the bill read a third time and passed.

On motion by Mr. Kelso,

The title of the bill was amended to read as follows:

"A bill to provide for the election of township assessors in the counties of Dearborn, Switzerland and Ohio."

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Morgan,

The House took from the table House bill,

No. 159. A bill to extend the Lawrenceburgh and Rushville Railroad to the coal region near Point Commerce in Green county, via Martinsville, Gosport and Spencer.

Mr. Dobson moved to strike out the second section;

Which motion prevailed.

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 171. A bill for the relief of persons therein named;

No. 172. A bill for the relief of widows;

No. 173. A bill to locate a State road in the counties of Shelby and Rush;

No. 175. A joint resolution in relation to the Lafayette, Monticello and Michigan City Railroad;

No. 176. A joint resolution on the subject of the three per cent. fund;

Were each severally read a first and second times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 177. A bill to incorporate the Warsaw Manufacturing Company;

Was read a second time, and,

On motion by Mr. Edmonston,

Referred to the committee on corporations.

No. 178. A bill repealing the several acts exempting soldiers of the Mexican war from the payment of taxes;

Was read a second time.

Mr. Edmonson moved to strike out "1848" after the word "year" in the first section, and insert "1849;"

Which motion prevailed.

The rules were suspended and the bill read a third time and passed.

No. 180. A bill for the relief of Solomon May, sen'r;

No. 181. A bill to change the venue in certain causes therein named, from the county of Marion to the county of Knox;

No. 182. A bill to provide for the election of township assessor in the county of Scott;

No. 183. A bill to authorize the letting of water power at the Northport feeder dam in Noble county, and for other purposes;

Were each severally read a second and third times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 184. A bill declaring the true intent and meaning of an act entitled "an act defining the duties of county treasurers in certain cases," approved Jan. 13, 1845;

Was read a second time, and,

On motion by Mr. Edmonston,

Laid on the table.

No. 185. A bill relative to the jurisdiction of justices of the peace in criminal cases;

Was read a second time.

Mr. Blakemore moved to add :

"And to all offences against the election law in this State;"

Which amendment was adopted.

The bill as amended was ordered to be engrossed.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 186. A bill relative to the official conduct of county commissioners;

Was read a second time and ordered to be engrossed.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 187. A bill in relation to the collection of taxes;

Was read a second time.

On motion by Mr. Parker of Allen,

The county of Allen was exempted from the provisions of the bill.

On motion by Mr. Meredith,

The county of Wayne was exempted from the provisions of the bill.

On motion by Mr. Miller.

The county of St. Joseph was exempted from the provisions of the bill.

On motion by Mr. Bundy,

The county of Henry was exempted from the provisions of the bill.

Mr. Edmonston moved to strike out the "1st of January," and insert the "31st of December;"

Which motion prevailed.

On motion by Mr. Jackman,

The county of Jefferson was exempted from the provisions of the bill.

On motion by Mr. Place,

The county of Laporte was exempted from the provisions of the bill.

On motion by Mr. Spencer,

The counties of Porter and Lake were exempted from the provisions of the bill.

On motion by Mr. Parker of Brown,

The county of Brown was exempted from the provisions of the bill.

On motion by Mr. Hill,

The county of Clinton was exempted from the provisions of the bill.

On motion by Mr. Kelley,

The county of Ripley was exempted from the provisions of the bill.

On motion by Mr. Ross of Wabash,

The county of Wabash was exempted from the provisions of the bill

On motion by Mr. Kelso,

The counties of Switzerland and Ohio were exempted from the provisions of the bill.

On motion by Mr. Cox,

The county of Rush was exempted from the provisions of the bill.

On motion by Mr. Bryant,

The county of Warren was exempted from the provisions of the bill.

On motion by Mr. Cravens,

The county of Washington was exempted from the provisions of the bill.

On motion by Mr. Rice,

The county of Crawford was exempted from the provisions of the bill.

On motion by Mr. Chambers,

The county of Warrick was exempted from the provisions of the bill.

On motion,

The rules were suspended, and the bill read a third time and passed.

On motion by Mr. Kelso,

The title of the bill was amended so as to read as follows :

"A bill in relation to the collection of taxes in certain counties."

*Ordered*, That the clerk inform the Senate thereof.

No. 190. A bill to vacate the town of Ventersville in Morgan county ;

Was read a second and third times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 191. A bill for the benefit of officers of the county of Delaware, and others ;

Was read a second time, and,

On motion by Mr. Hendricks,

Laid on the table.

No. 192. A bill for the relief of John L. Jenkins ;

Was read a second time.

Mr. Cox moved to lay the bill on the table.

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Blakemore, Brady, Caldwell, Casselberry, Cockrum, Commons, Cox, Dawson, Decker, Donnohue, Dougherty of Boone, Dougherty of Morgan, Frazer, Gillum, Graham, Hankins, Hicks, Hill, Howell, Huddleston, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Julian, Kelso, Line, Maddox, Meacham, Miller, Mills, Morgan, Nicholson, Orr, Odell, Osborn, Parker of Allen, Rifner, Rippey, Ross of Miami, Ryan, Snook, Stanton, Starbuck, Tuttle, Vawter, Young, and Mr. Speaker—50.

*Those who voted in the negative are,*

Messrs. Allen, Bryant, Bundy, Chambers, Cotton, Cravens, Dobson, Dowling, Drake, Edmonston, Edwards, Ford, Gessie, Goodwin, Harlan, Hendricks, Huckleberry, Hughes, Jackman, Kelley, Meredith, Parker of Brown, Pierce, Place, Rice, Riley, Ross of Wabash, Rousseau, Smith, Spencer, Thompson, Webster, Wilson, Winstandley, Withers, and Wolfe.—36.

So the bill was laid on the table.

No. 193. A bill to legalize the assessment of taxable property in Wayne township, Bartholomew county for the year 1848 ;

No. 194. A bill to authorize the election of an additional justice of the peace in Adams township, Madison county ;

Were each read a second and third times, the rules being suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 195. A bill to provide for the location of a State road in Grant and Wabash counties;

Was read a second time,

Mr. Harlan, moved to amend the bill by adding the following in the first section :

"As the nature of the ground will permit to Roache's Mills on Treaty creek, thence along the west bank of Treaty creek, terminating at the Marion and Wabash State road, where the same crosses Treaty creek the first time north of said Roache's Mill."

Which amendment was adopted.

The bill as amended was then ordered to be engrossed.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 196. A bill amendatory of an act incorporating the town of Connersville;

Was read a second time and ordered to be engrossed.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 198. A joint resolution relative to the mileage of members of Congress;

Was read a second time,

The question being on the engrossment of the bill,

Was decided in the negative.

No. 209. A bill to authorize Oliver S. Pitcher to sell certain real estate ;

Was read a second time and,

On motion,

Referred to the committee on the judiciary.

Mr. Kelso on leave,

Presented a petition on the same subject, which was referred to the committee on the judiciary.

No. 199. A joint resolution in relation to State instruments ;

Mr. Ryan moved to refer the joint resolution to the committee on the State Library ;

Which motion did not prevail.

On motion,

The rules were suspended and the joint resolution read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 200. A joint resolution on the subject of donating lands by the General Government;

Was read a second time,

Mr. Wilson moved to strike out all after the resolving clause, and insert the following :

"Whereas, various acts have been passed by the respective Legislatures of the Western States, authorizing the construction, by companies, of various lines of Railroads, connecting the most important business points of the northern portions of the United States with the centre and the south, and those of the east with the west, thereby providing for the speedy and certain transportation of the United States mail, troops, and munitions of war, and all other kinds of United States property, and also causing thereby a speedy sale of the public lands within the vicinity of said lines of Railroads, with all the benefits resulting from such sales to the United States Treasury and the respective States within which such lands are situate, together with incalculable benefits to individuals generally. Therefore,

*Be it Resolved by the General Assembly of the State of Indiana* : That the Congress of the United States be and it is hereby memorialized to pass laws donating alternate sections of the public lands for ten miles wide, on each side of said lines of Railroads, together with pre-emption rights to the remaining alternates, for ten years at the increased price of two dollars and fifty cents per acre to the several States, in which such various Railroads are situate, to be used by said States for such purposes and for none other.

*And be it further Resolved*, That our Senators in Congress be instructed, and our Representatives requested, to introduce bills in their respective Houses, providing for the donation of public lands for the purpose of aiding in the construction of the Railroads within the State of Indiana, and also to render all aid and assistance in their power to secure the passage of similar laws for the assistance of their sister States of the West.

*And be it further Resolved*, That the Governor be and he is hereby directed to transmit certified copies of this joint resolution to each of our Senators and Representatives in Congress."

Which amendment was adopted.

On motion,

The rules were suspended and the joint resolution read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 201. A joint resolution on the subject of publishing the laws of the present session;

Was read a second time,

Mr. Brady moved to amend the joint resolution by adding the following additional section:

*"Sec. —. And be it further enacted, That it is herein made the duty of the Secretary and Treasurer of State, and Auditor of Public accounts, the Board of Directors of the Insane, Lunatic and Blind Asylums, each to submit their annual reports to the public printer, a sufficient time prior to the sitting of the Legislature, for said printer to print and stitch the same in due form, to be delivered or reported to the respective Houses of the General Assembly, in proper proportions. And then shall be printed — copies of the Auditor's report, and — copies of the Secretary of State's report, and — copies of the Treasurer's report, and — copies of each of the Asylums, for the use of the members thereof.*

Which was not adopted.

On motion,

The rules were suspended and the joint resolution read a third time and passed.

On motion by Mr. Dobson,

The title was amended by inserting the word "general," before the word "laws."

*Ordered*, That the clerk inform the Senate thereof.

No. 203. A bill to alter the time of holding the Circuit Courts in the counties of Owen and Brown in the 10th judicial circuit.

Was read a second time, and

On motion,

Referred to a select committee, consisting of Messrs. Parker of Brown, Dobson and Buskirk.

No. 206. A bill defining the duties of Congressional Township Trustees in Daviess county;

No. 208. A bill to confirm a certain change in the Michigan Road in Cass county;

No. 209. A bill to repeal an act therein named;

Were each severally read a second and third times, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 210. A bill to compel speculators to pay a road tax equal to that paid by actual settlers, and for other purposes, in the county of Tipton;

Was read a second time,

Mr. Blakemore moved to amend the bill by adding "and so much of the county of Cass as lies East of the Michigan Road;"

Which amendment was adopted.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 211. A bill to change the time of holding Circuit Courts in the counties of Jennings and Bartholomew;

Was read a second time and ordered to be engrossed.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Kelso moved to reconsider the vote on "No. 200. A joint resolution on the subject of donating lands by the General Government;"

Which motion prevailed.

The question then recurring on the passage of the joint resolution, was decided in the affirmative,

No. 212. A bill more effectually to protect the property of married women;

Was read a second time,

Mr. Hill moved to lay the bill on the table,

Which motion did not prevail.

Mr. Dunn moved to strike out so much as relates to the manner of acknowledging deeds by married women;

On motion by Mr. Starbuck,

The bill and pending amendments were referred to the committee on the judiciary.

Mr. Riley moved to take from the table No. 169. A bill explanatory of an act therein named;

Which motion did not prevail.

No. 214. A bill to re-survey and re-locate so much of the Indianapolis and Fort Wayne State road as lies within the counties of Grant, Wells and Huntington;

No. 215. A bill in relation to road tax in St. Joseph county;

No. 216. A bill to incorporate the Washington Turnpike Company, in Wayne county, Indiana;

No. 217. A bill to legalize certain acts of the Auditor of Marshall county;

No. 218. A bill to authorize supervisors in Wells county levying an additional road tax when necessary;

No. 219. A bill to repeal an act entitled "an act to repeal an act defining the duties of County Treasurers, passed January 13th, 1845," approved February 14th, 1848, relative to the counties of Fulton and Marshall;

No. 220. A bill for the relief of Andrew Shaw;

No. 221. A bill to change the name of the Ciceronian Society of Franklin College, to the name of *Alpha Pi*;

No. 222. A bill to increase the salary of the Probate Judge of Wayne county ;

No. 223. A bill relative to roads in Marshall, Fulton and Starke counties ;

Were each severally read a second and third times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 225. A bill to amend an act entitled "an act to regulate the signing of bills of exceptions in the Circuit Courts;" approved February 16th, 1848 ;

Was read a second time,

The question being on the engrossment of the bill, was decided in the negative.

No. 226. A bill to exempt the property of invalids from taxation ;

Was read a first time, and ordered to be engrossed.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 227. A bill to incorporate the Greensburg and Brookville Turnpike Company ;

Was read a second time, and,

On motion by Mr. Edmonston,

Referred to the committee on corporations.

No. 228. A bill defining the duty of the Board of Commissioners of the county of Monroe ;

No. 229. A bill to equally distribute the local and general laws of this State ;

Were each read a second and third times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Edmonston moved to reconsider the vote on committing bill of the House,

No. 227. A bill to incorporate the Greensburg and Brookville Turnpike Company ;

Which motion prevailed.

The question then recurring on its reference to the committee on corporations, which was decided in the negative.

On motion,

The rules were suspended, bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Kelso moved that the House adjourn,

Which motion did not prevail.

No. 230. A bill to amend an act entitled, "an act appointing a board of superintendents to superintend the changing of the channel or levying the banks of Jordan creek in Vigo county, and for other purposes;" approved January 15, 1846;

Was read a second time and referred to a select committee consisting of,

Messrs. Dowling, Edwards, and Wolfe.

No. 231. A bill to amend "an act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the Board of Internal Improvements, and the offices of Fund Commissioner, and Chief Engineer," approved January, 28, 1842;

Was read a second time and ordered to be engrossed.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Kelso moved that the House adjourn, which motion did not prevail.

No. 234. A bill relative to the pay of the Probate Judge of the county of Grant;

Was read a second time.

Mr. Riley moved to lay the bill on the table, which motion did not prevail.

Mr. Dunn moved to amend by inserting in the proper place, "that said extra sum of one dollar per day shall be paid out of the Treasury of Grant county.

On motion by Mr. Edmonston,

The bill and pending amendment were laid on the table.

Mr. Line moved that the House adjourn, which motion did not prevail.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment, to-wit:

No. 26. An act to authorize the judge of the Probate Court of St. Joseph county to grant and try writs of Habeas Corpus, and for other purposes."

No. 102. An act to regulate the times of holding courts in the Fifth Judicial Circuit.

No. 197. An act to amend an act entitled "an act to authorize the election of a Justice of the Peace and a Constable, in the town of New Trenton in the county of Franklin.

No. 233. An act levying a tax on the inhabitants of the town of Marion and the additions thereto, and upon persons owning real estate therein.

No. 240. An act authorizing the Auditor of Clinton county, to make a deed in a certain case.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in the amendments of the House to bill of the Senate entitled,

No. 84. An act to incorporate the Rockport and Washington Railroad Company.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has concurred in the amendments proposed by the House to the following engrossed bills of the Senate.

No. 20. An act authorizing the establishment of additional branches of the State Bank of Indiana.

No. 86. An act in relation to the New Albany and Salem Railroad Company.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bills of the House, and find the same correctly enrolled, to-wit:

No. 99. An act to reduce the fees and salaries of county officers in the county of Blackford.

No. 107. A preamble and joint-resolution relative to the reduction of the price of public land in the great Miami National Reserve.

No. 133. An act to repeal an act entitled, "an act to extend the jurisdiction of Justices of the Peace in the counties of Lake and Porter," approved Feb. 14th, 1848.

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Dougherty, of Boone,  
The House adjourned to meet on Tuesday morning at 9 o'clock,  
A. M.

TUESDAY MORNING, JANUARY 9, 1849.

The House met.

On motion by Mr. Parker, of Allen,  
The reading of the journal was dispensed with.

On motion by Mr. Bryant,  
The House took up No. 167, a bill to increase and extend the  
benefits of common schools.

Mr. Withers moved to amend the bill as follows:

"This act shall not take effect until the first day of September, 1849. The several county Auditors in the State when making out the poll books for the general election on the first Monday in August next, shall make a separate column in which those voting for and against the provisions of this bill, shall be entered.

"The several inspectors of the election in this State, shall put the following question to each voter, on presenting his ballott : 'Are you in favor of being taxed in addition to the present rate of taxation, the sum of twenty-five cents on each poll, also 10 cents on each hundred dollars, to be set apart for the use of common schools.'

"Those counties voting for the taxation aforesaid, shall be entitled to all the benefits of said bill. Those counties voting against taxation, shall not be subject to the provisions of this law; but said counties voting against said law, shall have the right once every year, to vote for or against taxation, as aforesaid, and as soon as a majority of such county shall have voted for such taxation aforesaid, then such county shall be entitled to all the benefits contained in this law. Each county to retain in the county treasury, its proportion of school funds and the State Treasurer to equalize the revenue among the several counties in this State."

Mr. Riley moved to amend the amendment as follows :

"Strike out so much as relates to asking electors at the polls if in favor of being taxed, and insert "Are you in favor of the school law of 1848-'49?" Also strike out so much as relates to making the fund general."

Mr. Allen moved to lay the amendment to the amendment on the table.

On motion by Mr. Ross, of Miami,  
A call of the House was ordered.

After some time spent therein, ninety-six members answered to a call of their names.

On motion by Mr. Edmonston,

A further call was suspended.

Leave of absence was granted to Messrs. Commons, Vance, and Julian.

On motion by Mr. Edmonston,

The bill and amendments were laid on the table.

PETITIONS &c., PRESENTED.

By Mr. Webster,

The petition of Timothy Adams and 487 others, citizens of Noble, Elkhart, and Lagrange counties, relative to the completion of the Erie and Michigan canal;

Which,

On motion,

Was referred to the committee on canals and internal improvements.

By Mr. Hill,

The citizens of township 23, North of Range 3 East, in Howard county, praying to extend the provisions of a certain act to John Condra;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Hill, Blakemore, and Dawson.

By Mr. Wade,

The petition of Christian C. Nave and others, citizens of Hendricks county, praying that Hendricks county, may be exempted from the school law about to be passed.

Which,

On motion by Mr. Wade,

Was referred to the committee on education.

By Mr. Donnohne,

The petition of citizens of Putnam county, on the subject of free schools;

Which,

On motion by Mr. Donnohue,

Was laid on the table.

By Mr. Allen,

The "Temperance Memorial" of citizens of Knox county;

Which,

On motion by Mr. Allen,

Was referred to a select committee, consisting of one member from each judicial circuit, to whom all petitions of a similar nature were referred.

By Mr. Ross, of Miami,

The "Temperance Memorial" of citizens of Miami county;

Which,

On motion by Mr. Ross, of Miami,

Was referred to the select committee, of one member from each judicial circuit, on the same subject ;

By Mr. Parker, of Allen,

The petition of citizens of Allen county, praying for the re-surveying of a State road ;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Parker, of Allen, Webster, and Hankins ;

By Mr. Blakemore,

The petition of Geo. W. Smith, on the subject of a State road ;

Which,

On motion,

Was referred to a select committee, consisting of, Messrs. Blakemore, Rifner, and Nicholson.

By Mr. Ross, of Wabash,

The petition of ninety ladies of Wabash county, on the subject of the License Law ;

Which,

On motion,

Was referred to the select committee of one member from each judicial circuit, on the same subject.

By Mr. Kelley,

The "Temperance Memorial" of citizens of Ripley county ;

Which,

On motion,

Was referred to the select committee of one member from each judicial circuit, on the same subject ;

By Mr. Dunn,

The "Temperance Memorial" of citizens of Jefferson county ;

Which,

On motion,

Was referred to a select committee, consisting of one member from each judicial circuit, on the same subject.

By Mr. Kelso,

The "Temperance Memorial" of citizens of Ohio county ;

Which,

Was referred to a select committee of one member from each judicial circuit, on the same subject.

By Mr. Kelso,

The petition of R. A. Riley ;

Which,

On motion by Mr. Kelso,

Was referred to the committee on claims.

By Mr. Kelso,

The petition of Wm. Hall and others, on the subject of the county Auditor of Switzerland county ;

Which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Kelso, Ryan, and Shaw.

By Mr. Snook,

The petition of citizens of Montgomery country, relative to a State road from Crawfordsville and Danville; which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Snook, Wade, and Nicholson.

By Mr. Vawter,

The "Temperance Memorial" of citizens of Shelby and Bartholomew counties, praying for the repeal of all license laws for the sale of all intoxicating liquors as a beverage, &c., to declare the sale thereof a high crime, and punishable by confinement in the penitentiary; which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the subject.

By Mr. Vawter,

The "Temperance Memorial" of citizens of Jefferson and Jennings counties, praying for the repeal of all license laws for the sale of intoxicating liquors as a beverage, and to declare the sale thereof a high crime, and punishable by confinement in the penitentiary; which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Gessie,

The petition of sundry persons in Vermillion county, in relation to the school funds of said county; which,

On motion by Mr. Gessie,

Was referred to the committee on education.

By Mr. Tuttle,

The petition of sundry citizens of Marshall county, praying for a grant of land for a burying ground; which,

On motion,

Was referred to a select committee, consisting of  
Messrs. Tuttle, Ross, of Miami, and Huddleston.

By Mr. Dawson,

The petition of 105 citizens of De Kalb county, praying the appropriation of a certain road tax on the road leading from Auburn to the Ohio State line; which,

On motion,

Was referred to a select committee, consisting of  
Messrs. Dawson, Pierce, and Young.

By Mr. Buskirk,

The petition of citizens of Monroe county, praying for the repeal of the law confining votes to their respective townships; which,

On motion,

Was referred to a select committee, consisting of

Messrs. Buskirk, Cox, and Parker, of Brown.

On motion by Mr. Jones, of Bartholomew,

The petition of sundry citizens of Columbus, Bartholomew county; which,

On motion,

Was referred to the committee on education.

By Mr. Hendricks,

The memorial of J. Messiah and 13 others on the subject of intemperance; which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Place,

The petition of citizens of Laporte county, praying for the repeal of the law requiring a poll to be opened annually for receiving votes for and against licensing establishments selling intoxicating liquors, so far as the same relates to Laporte county; which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Hunt,

The remonstrance of sundry citizens of Laporte county against the repeal of the license law; which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Bryant,

The petition of citizens of Newtown in relation to the license law; which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Buskirk,

The memorial of Matthew McCampbell, administrator of Mary H. McPheeters, deceased, praying for a transfer of said administration from the probate court to the circuit court; which,

On motion,

Was referred to the committee on the judiciary.

By the Speaker,

The "Temperance Memorial" of the ladies of Franklin county; which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By the Speaker,

The "Temperance Memorial" of citizens of Franklin county; which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Drake,

The claim of John Lister for forage furnished to volunteers; which,

On motion by Mr. Drake,

Was referred to the committee on claims.

By Mr. Duvall,

The "Temperance Memorial" of citizens of Parke county; which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Harlan,

The petition of D. C. Hite and others, of the county of Grant, praying a repeal of the law concerning weights and measures; which,

On motion,

Was referred to the committee on the judiciary.

By Mr. Harlan,

The petition of James Stoops and 74 others, of the counties of Grant and Wabash, on the subject of a Plank road therein named; which,

On motion,

Was referred to the select committee on the same subject, consisting of,

Messrs. Ross, of Wabash, Ross, of Miami, and Harlan.

By Mr. Spencer,

The petition of citizens of Porter county in relation to a certain road; which,

On motion,

Was referred to the committee on roads.

By Mr. Meredith,

Three "Temperance Memorials" of citizens of Wayne county; which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Nicholson,

The petition of Robert H. Craig and 104 others, citizens of Montgomery county, on the subject of horses; which,

On motion,

Was referred to the committee on agriculture.

On motion by Mr. Hunt,

The House took up bill of the Senate, No. 87, a bill to amend an act, entitled "An act to authorize the construction of Plank or Coal roads," approved Feb. 16, 1848;

Which was read a second time, and ordered to a third reading:

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the clerk inform the Senate thereof.

REPORTS FROM COMMITTEES.

Mr. Allen, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill No. 31, being an act entitled "an act to amend the 40th chapter of the Revised Statutes of Indiana," with certain instructions, have had the same under consideration, and have directed me to report the same back with the following amendments :

Insert at the end of the first section the following proviso :

"*Provided, however*, That nothing in this act shall be so construed as to apply to actions for tort, commenced in the county where the tort was committed, or where the cause of action is local, or the defendant is not a resident of the State of Indiana."

Which amendment was concurred in.

The bill as amended was then ordered to be engrossed.

Mr. Allen, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill No. 59, entitled "an act to repeal an act entitled 'an act concerning free negroes and mulattoes, servants and slaves,' approved February 10, 1831, and for other purposes," have had the same under consideration, and have directed me to report the same back without amendment, and recommend that it be indefinitely postponed, and the committee ask to be discharged.

Which was concurred in.

Mr. Allen, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred resolution of the House, instructing them to report a bill re-organizing the probate courts of this State in such manner as to make probate circuit courts, have directed me to report the accompanying bill, and recommend its passage.

No. 299. A bill establishing a judicial probate circuit system ;  
Was read a first time and passed to a second reading.

Mr. Withers moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

Mr. Barbour, chairman of the committee on the judiciary, made the following report :

**MR. SPEAKER :**

The judiciary committee, to which was referred the petition of sundry citizens of Lagrange county, praying the passage of an act legalizing the location of a certain road in said county, has directed me to report the following bill.

No. 300. A bill to legalize certain acts of the board of commissioners of Lagrange county ;

Was read a first time and passed to a second reading.

Mr. Wolfe moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

Mr. Dunn, from the committee on the judiciary, made the following report :

**MR. SPEAKER :**

The committee on the judiciary have instructed me to report the following bill and recommend its passage.

No. 301. A bill to amend article 2 of chapter 42 of the Revised Statutes of 1843 ;

Was read a first time and passed to a second reading.

Mr. Dunn, from the committee on the judiciary, made the following report :

**MR. SPEAKER :**

The committee on the judiciary, to which was referred Senate bill No. 39, have had the same under consideration, and have directed me to report the same back with the following amendments.

Amend section 2 by inserting after "county auditor" the word "sheriff."

Amend section 3 by adding thereto the following :

"Provided, That the county commissioners shall not be required to make such allowance for fees, unless, in their opinion, the present emoluments received by said officers are not a sufficient compensation for their services.

Which amendment was concurred in.

The bill as amended was then ordered to a third reading.  
 Mr. Dunn, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the petition of Elisha Driskell, praying for relief, have had the subject of said petition under consideration, and have directed me to report the following bill and recommend its passage.

No. 302. A bill for the relief of Elisha Driskell ;  
 Was read a first time and passed to a second reading.

Mr. Thompson moved to suspend the rules and read the bill a second time ;

Which motion did not prevail.

Mr. Lozier, on leave, presented the petition of William V. Cheek and Milton Gregg, praying for the allowance of certain witness fees ;

Which,

On motion,

Was referred to the committee on claims.

Mr. Drake, on leave, presented the petition of William H. Kerns and H. J. Bradley, in relation to carpenter's work on the asylum for the deaf and dumb.

Which,

On motion,

Was referred to the committee on benevolent and scientific institutions.

Mr. Bryant, chairman of the committee on education, made the following report:

MR. SPEAKER :

The committee on education, to which was referred the petition of sundry citizens of Randolph county, praying the sale of certain school lands without the consent of the voters of the township to which it belongs, have had the subject under consideration, and have instructed me to report that it is improper and inexpedient to grant the prayer of said petitioners, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Bryant, chairman of the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to which was referred the petition

of Joseph Holman and others, securities of John Plasters, former school commissioner of Miami county, have had the same under consideration, and instructed me to report the accompanying bill, and recommend its passage :

No. 303. A bill to amend an act entitled "An act for the relief of the securities of John Plasters, school commissioner of Miami county," approved Feb. 2, 1843.

Which was read a first time and passed to a second reading.

Mr. Huckleberry, chairman of the committee on the affairs of the State Prison, made the following report:

MR. SPEAKER :

The committee on the affairs of the State Prison, to which was referred bill of the House No. 150, an act to amend an act entitled "an act to lease the Indiana State Prison, and for other purposes," approved Jan. 16, 1846, have had the same under consideration, and have directed me to report the same to the House with the following amendments:

1st amendment :

Strike out of the 1st section all after the word "State," in the fifth line, and insert the following:

"And in chopping and hauling wood to burn such bricks, and in digging and hauling earth to make the same, from such places as may be most convenient for said lessee, not on the property of the State, and in the erection of such public buildings as may now be commenced, or may be authorized by the State hereafter to be built, adjacent to the prison for the use of the officers of the prison, and such other purposes as may be connected with the prison proper."

2d amendment.

Amend the second section by striking out the words "within and," in the third line.

3d amendment :

Strike out the third section, and insert the following in lieu of it.

"The Warden of the State Prison, during any temporary absence from such prison, shall appoint some person at the prison to discharge the duties of warden, during such temporary absence."

4th amendment:

Amend by inserting the following as an additional section:

"Sec. 5. The lessee shall in no case employ or work the convicts of said prison within the corporation of the city of Jeffersonville, nor elsewhere, in violation of the provisions of this act, and for each such offence, or days so offending, he shall forfeit and pay for the use of common schools, a sum not more than fifteen dollars, nor less than five dollars, to be recovered in an action of debt in the name of the State, before any justice of the peace of the proper township, upon complaint and satisfactory proof; and the person making such complaint, and failing to obtain judgment, shall be

charged with the costs of such suit: *Provided*, Nothing in this act shall be so construed as to prevent said lessee from the privilege of hauling to and from the city of Jeffersonville, for purposes immediately connected with the business of said prison.

The 1st, 2d, and 3d amendments of the committee were concurred in.

The question then being on concurring in the 4th amendment,

Mr. Kelso moved to amend the 4th amendment by making it the duty of the mayor and common council of Jeffersonville to prosecute the lessee for any breach of the rules and laws of the prison and of the State;

Which amendment to the amendment was adopted.

On motion by Mr. Dobson,

The 4th amendment of the committee was laid on the table.

Mr. Huckleberry moved to lay the bill on the table.

The ayes and noes being demanded by Messrs. Huckleberry and Riley,

*Those who voted in the affirmative are:*

Messrs.<sup>4</sup> Alexander, Caldwell, Chambers, Cravens, Edmonston, Goldsberry, Huckleberry, James, Riley, Rippey, Smith, Winstandley, Withers, and Mr. Speaker—14.

*Those who voted in the negative are:*

Messrs. Alden, Allen, Barbour, Blakemore, Brady, Bryant, Bundy, Campbell, Casselberry, Cockrum, Cotton, Cox, Dawson, Decker, Dobson, Donnouhe, Dougherty of Boone, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Duvall, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Hendricks, Hicks, Hill, Howell, Huddleston, Hughes, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Jones, of Bartholomew, Jones of Huntington, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Parker of Allen, Parker of Brown, Pierce, Place, Rice, Rifner, Ross of Miami, Ross of Wabash, Rousseau, Ryan, Snook, Spencer, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Wolfe, Wood and Young—82.

So the bill was not laid on the table.

Mr. Riley moved to amend by striking out the words “mechanics” and “Jeffersonville,” wherever they occur in said bill.

On motion by Mr. Duvall,

The amendment was laid upon the table.

Mr. Riley moved to indefinitely postpone the bill,

Which motion did not prevail.

The bill as amended was then ordered to be engrossed.

The hour having arrived for the special order of the day, the House took up,

No. 238. A bill making general appropriations for the year 1849.

On motion by Mr. Edmonston,

The further consideration of the bill was postponed until 2 o'clock P. M.

Mr. Riley moved to suspend the order of business, for the purpose of introducing a bill,

Which motion did not prevail.

Mr. Dobson, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The committee on claims to whom was referred, the report of Henry Rudisill, have had the subject under consideration, and have instructed me to report that it is inexpedient to legislate on the subject, as your committee are of opinion that if the heirs of George W. Brackenridge are entitled to damages, that they should look to the White Water Canal Company, and not to the State. The State relinquished all her interest in said canal to that Company, and nothing more, the charter provides for the settlement of all difficulties which may arise in regard to right of way damages, or anything of the kind, and as the State had not procured any relinquishment from the heirs of said Brackenridge, the Company will have to obtain such relinquishment by paying said heirs whatever sum arbitrators may determine to be just, as is provided in their charter.—Your committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Rifner, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to which was referred, the petition of J. J. Barret and sundry other citizens of Howard, Grant and Carroll counties, on the subject of a State road, have had the same under consideration, and directed me to report the following bill and recommend its passage, and ask to be excused from the further consideration of the subject :

No. 304. A bill authorizing a State road running from Jonesborough in Grant county, to Lafayette in Tippecanoe county.

Which was read a first time and passed to a second reading.

Mr. Dowling, chairman of the committee on canals and internal improvements, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements to which was referred, a resolution of the House, directing the committee to enquire into the propriety of selling or otherwise dispensing of the northern division of the Central Canal, so that it shall cease to be a charge on the State Treasury, have had the same under consideration, and have directed me to report the accompanying bill and recommend its passage, and ask to be discharged from the further consideration of the subject:

No. 305. A bill authorizing the leasing of the finished portion of the Central Canal, and for other purposes.

Which was read a first time and passed to a second reading.

Mr. Dowling, chairman of the committee on canals and internal improvements, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements to which was referred, bill of the House No. 111, entitled, "an act to repeal the latter part of the 6th section of an act in relation to the northern division of the Central Canal, approved January 13, 1846," have had the same under consideration, and as the committee have already reported a bill to meet the object aimed at, respectfully recommend that it be laid on the table, and ask to be discharged, &c.

Which report was concurred in.

Mr. Dowling, chairman of the committee on canals and internal improvements, made the following report:

MR. SPEAKER:

The committee on canals and internal improvement to which was referred, bill of the House No. 60, entitled, "an act to amend an act entitled, an act to incorporate the White Water Valley Canal Company, approved January 20, 1842, and for other purposes," have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be laid upon the table, another bill of similar import having been reported to this House from the Senate, and the committee ask to be discharged &c.

Which report was concurred in.

Mr. Edmonston, chairman of the committee on corporations, made the following report:

MR. SPEAKER:

The committee on corporations to whom was referred bill of the House No. 272, a bill to amend the charter of the borough of Vincennes, have had the same under consideration, and instructed me to report the bill back to the House, without amendment, and recommend its passage.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Edmonston chairman of the committee on corporations, made the following report :

MR. SPEAKER:

The committee on corporations to whom was referred bill of the House No. 271, an act to incorporate the town of Greencastle, in the county of Putnam, have directed me to report the same back to the House, and recommend its passage.

Which was read a second and third times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Edmonston, chairman of the committee on corporations, made the following report :

MR. SPEAKER:

The committee on corporations to whom was referred bill of the House No. 224, entitled "An act to incorporate the Delphi and Frankfort Plank Road Company," have had the same under consideration, and have directed me to report the same back to the House with one amendment, on the adoption of the same they respectfully recommend its passage :

"Sec. —. The president and directors of the company shall be liable in their individual capacities for all debts contracted in the prosecution of said work above the amount of solvent stock secured to the company; and the Legislature reserves the right to alter, amend, or appeal this charter, when any of its privileges shall be violated ;"

Which amendment was concurred in.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Edmonston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to which was referred bill of the House No. 147, a bill to amend an act entitled an act to incorporate the Indiana canal company, have had the same under consideration, and have directed me to report the same back to the House with one amendment, when adopted they recommend its passage :

Amend the bill by striking out the third section ;

Which amendment was not concurred in.

Mr. Winstadnley moved to amend as follows :

"The State of Indiana hereby reserves the right whenever it is deemed expedient by the General Assembly of the State, to grant an additional charter for the construction of a canal commencing at Jeffersonville and terminating at or below the city of New Albany ;"

Which amendment was adopted.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Edwards, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to which was referred bill of the House No. 152, entitled "A bill to amend an act entitled an act to incorporate the Mt. Vernon and New Harmony Railroad Company," approved February 16, 1848, have had the same under consideration, and have directed me to report the same back to the House and recommsnd it to be laid on the table, and ask to be discharged from further duty.

The question being on concurring in said report,

The ayes and noes being demanded by Messrs. Casselberry and Mills,

*Those who voted in the affirmative are,*

Messrs. Alexander, Chambers, Cockrum, Dougherty of Morgan, Dowling, Doyle, Edmonston, Edwards, Gessie, Goodwin, Kelley, Ross of Miami, Ryan, Shaw, Smith, Spencer and Withers—17.

*Those who voted in the negative are,*

Messrs. Alden, Allen, Barbour, Blakemore, Brady, Bryant, Bundy, Buskirk, Caldwell, Campbell, Casselberry, Cotton, Cox, Cravens, Dawson, Decker, Dobson, Donnohue, Dougherty of Boone, Drake, Frazer, Ford, Gillum, Graham, Hankins, Harlan, Hicks, Hill, Howel, Huckleberry, Huddleston, Hughes, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Jones of Huntington, Kelso, Line, Lrazier, Maddox, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Parker of Allen, Parker of Brown, Pierce, Place, Rice, Rifner, Rippey, Ross of Wabash, Rousseau, Snook, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Winstandley, Wolfe, Wood, Young and Mr. Speaker—74.

So the bill was not laid on the table.

Mr. Wolfe moved to amend as follows:

“That the company shall have the right to tap the Evansville and Mt. Carmel railroad at or near Princeton;”

Which was adopted.

Mr. Wolfe moved to amend as follows:

Insert the words, “*via* Vincennes to the town of Sullivan;”

Which was adopted.

On motion by Mr. Meredith,

The bill was laid on the table.

Mr. Brady moved to suspend the order of business for the purpose of introducing a bill;

Which motion did not prevail.

Mr. Line, from a select committee, on leave made the following report:

MR. SPEAKER :

The select committee to whom was referred a resolution of the House authorizing a committee of three to be appointed to call upon the superintendents of the deaf and dumb and also of the blind asylum, to ascertain when they will give to this House an exhibition of their pupils, have in discharge of their duties called upon said superintendents, and ask to report that the superintendent of the deaf and dumb asylum will give an exhibition of the pupils this evening, January 9, in the Hall of the House of Representatives, at early candlelight, and the members of both branches of the General Assembly, the officers of State, and citizens of the State who are for

the time being stopping in the capital, are invited to attend ; and the committee further recommend that when this House adjourn this evening, it adjourn at 4 o'clock, if the business of the House will admit.

Mr. Hughes, on leave, introduced,

No. 306. A bill to legalize a certain deed therein named ; Which was read a first time and passed to a second reading.

Mr. Brady, on leave, introduced,

No. 307. A bill supplemental to bill No. 54, entitled a bill to amend the Indianapolis and Peru Rail Road Charter ;

Which was read a first time, and passed to a second reading.

Mr. Dougherty, of Boone, on leave, introduced,

No. 308. A bill for the better security of the Surplus Revenue Fund in Boone county ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Kelso,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

On motion by Mr. Buskirk,

The order of business was suspended for the introduction of bills.

Mr. Kelso introduced,

No. 309. A bill to amend an act entitled "an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors," approved January 28th, 1847 ;

Which was read a first time and passed to a second reading.

Mr. Riley introduced,

No. 310. A bill concerning the funds arising from leasing of the Indiana State Prison, and for other purposes ;

Which was read a first and second times, the rules having been suspended therefor, and,

On motion,

Referred to the committee on the affairs of the State Prison.

Mr. Stanton introduced,

No. 311. A bill to amend the 209th section of chapter 30, of the Revised Statutes of 1843 ;

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

Mr. Gessie introduced,

No. 312. A bill relative to school funds in Vermillion county ;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and referred to the committee on education.

Mr. Hendricks introduced,

No. 313. A bill to incorporate the Preachers' Relief Society of the Methodist Protestant Church of Indiana ;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

Mr. Dunn introduced,

No. 314. A bill to amend the act entitled "an act to incorporate the Madison Cemetery," approved January 19, 1846 ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Decker introduced,

No. 315. A bill in relation to road taxes in Adams county ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Allen introduced,

No. 316. A bill supplemental to the 14th article, 47th chapter Revised Statutes ;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

Mr. Cotton introduced,

No. 317. A bill to change the name of the Cannelton Steam Mill and Manufacturing Company, and authorizing them to mine coal ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ford introduced,

No. 318. A bill to repeal so much of an act therein named as relates to the county of Jackson ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Kelso,

The House adjourned.

2 o'clock, P. M.

The House met.

On motion by Mr. Harlan,

The vote on referring the petition of D. C. Hite and others, to the committee on the judiciary, was reconsidered.

On motion by Mr. Harlan,

The petition was referred to the committee on Agriculture.

Mr. Ross of Miami, from a select committee, on leave, made the following report:

MR. SPEAKER :

The select committee to which was referred the petition of Sundry citizens of Miami county, praying for a charter incorporating a Turnpike Company from Peru to Rochester, have had the same under consideration and have directed me to report the following bill in accordance with the prayer of said petition and recommend its passage.

No 319. A bill to incorporate the Peru and Rochester Turnpike Company ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Cox moved to take up a message from the Senate.

Which motion did not prevail.

Mr. Rice on leave introduced,

No. 320. A bill to legalize the sale of delinquent lands and lots in the county of Crawford ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Johnston of Putnam, from a select committee, on leave, made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of sundry citizens of Putnam county, praying a change in the mode of doing county business in said county, have had the same under consideration, and have directed me to report the following bill and recommend its passage.

No. 231. A bill to regulate the mode of doing county business in the county of Putnam;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Goodwin on leave introduced,

No. 322. A bill to amend article thirteen, chapter thirteen, of the Revised Statutes of 1843,

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time and referred to the committee on education.

Leave of absence was granted to Mr. Cotton for the remainder of the session.

The House resolved itself into the committee of the whole on bill

No. 238. A bill making general appropriations for the year 1849, Mr. Dobson in the chair.

After some time spent therein, the committee rose and made the following report, through Mr. Dobson their chairman :

MR. SPEAKER :

The committee of the whole House to whom was referred House bill No. 238, "A bill making general appropriations for the year 1849," have according to order had the same under consideration and have directed me to report progress, and ask to be discharged from the further consideration of the subject ;

Which was concurred in.

Mr. Frazer, on leave, offered the following resolution :

*Resolved*, That the Auditor and Treasurer of State be and they are hereby requested to communicate to this House as early as possible, *when, by whom, and for what purpose, and for what reason*, amounts have been heretofore drawn from the State Treasury, beyond the appropriations made by law, as shown by the auditor's annual report made to this House at its present session ;

Which was adopted.

Mr. Brady moved to take up the message from the Senate, which motion did not prevail.

On motion by Mr. Kelso,

The House took up No. 167, a bill to increase and extend the benefits of common schools.

The question being on the amendment of Mr. Riley to the amendment of Mr. Withers.

On motion by Mr. Julian,

The amendment and amendment to the amendment were laid on the table.

Mr. Riley moved to amend by inserting the proper place :

Sec. . Any State, county, or township officer having the charge of any of said school funds, who shall embezzle or appropriate to his own use, any of said school funds, shall upon conviction, or presentment, or indictment, be fined in any sum not exceeding four nor less than two fold the amount so embezzled, or appropriated to his own use, and be imprisoned in the county jail for not more than six months, or be confined at hard labor in the State's Prison not exceeding two years, at the discretion of the court or jury trying the same."

Mr. Hill moved to strike out so much of the amendment as relates to confinement in the State Prison.

Which amendment was accepted by Mr. Riley.

The question then being on the adoption of the amendment, was decided in the affirmative.

Mr. Bryant moved to amend so as to

Strike out section 5th, and insert the following :

Sec. 5. For their compensation for the discharge of the said several duties prescribed by the foregoing section, or which may be imposed by this act, the said county auditor shall be allowed upon the amount of the congressional township and school district funds and other school funds on loan in his county, at the time he makes his annual settlement with the board doing county business, and on which interest shall be paid for the current year, and upon the amount raised by taxation in aid thereof, the one-half of one per cent., which allowance shall be in full of all services to be performed under this act. And the said county treasurer shall be allowed upon the said funds on loan in his county, and on which interest shall have been paid for the current year, the one-half of one per cent., and for collecting and disbursing the tax required to be levied by this act, the said treasurer shall be allowed a commission of one per cent., which compensation shall be in full of all services to be performed by the said treasurer under this act.

Mr. Drake moved to amend Mr. Bryant's amendment as follows :

To allow the auditor five per cent. and the treasurer ten per cent. on all moneys actually received and disbursed by them.

On motion by Mr. Julian,

The amendment to the amendment was laid on the table.

Mr. Kelso moved to amend the amendment as follows:

That the treasurer be allowed one-half of one per cent. on all monies received and disbursed by him, and all money on loan of which the interest has been paid for the current year, and that the auditor receive three-fourths of one per cent. on the same amount.

Which amendment to the amendment was adopted.

Mr. Wilson moved to reconsider the vote on laying on the table the amendment offered by Mr. Edmonston on the 4th inst., which provides for submitting the law to the people for their approval, &c.

Mr. Kelso raised a question of order on the ground that the pending amendment offered by Mr. Bryant had the precedent over a motion to reconsider.

The Speaker decided that the motion to reconsider was in order and that it had the precedence over the pending motion to amend.

From which decision Mr. Kelso appealed.

The question being "shall the decision of the chair stand as the judgment of the House?"

The ayes and noes being demanded by Messrs. Edmonston and Kelso.

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Brady, Buskirk, Caldwell, Chambers, Cox, Dawson, Decker, Dougherty of Boone, Dougherty of Morgan, Dowling, Doyle, Duvall, Edmonston, Edwards, Ford, Gessie, Goldsberry, Howell, Huckleberry, Hughes, Hunt, James, Johnson of Dearborn, Jones of Huntington, Lozier, Meacham, Orr, Osborn, Parker Brown, Pierce, Rice, Rifner, Riley, Rippey, Ross of Wabash, Rousseau, Ryan, Shaw, Smith, Snook, Spencer, Starbuck, Wade, Wilson, Winstandley, Withers, Wolfe, Wood and Young—51.

*Those who voted in the negative are,*

Messrs. Barbour, Blakemore, Bryant, Bundy, Casselberry, Cravens, Dobson, Donnouue, Drake, Dunn, Frazer, Gillum, Goodwin, Hankins, Harlan, Hicks, Hill, Huddleston, Jackman, Johnston of Putnan, Julian, Kelley, Kelso, Line, Maddox, Meredith, Miller, Morgan, Nicholson, Odell, Parker of Allen, Place, Ross of Miami, Stanton, Tuttle, Vance Vawter, and Webster—38.

So the decision of the chair stands as the judgment of the House.

Mr. Maddox moved that the House adjourn,

which motion did not prevail.

The question then recurring on the motion to reconsider the vote on laying on the table the amendment of Mr. Edmonston.

The ayes and noes being demanded by Messrs. Morgan and Riley.

*Those who voted in the affirmative are,*

Messrs. Alexander, Allen, Blakemore, Brady, Buskirk, Caldwell, Campbell, Chambers, Cox, Cravens, Dobson, Donnouue, Dougherty of Boone, Dougherty of Morgan, Dowling, Duvall, Edmonston, Edwards, Ford, Gessie, Goodwin, Graham, Hankins, Hicks, Huckleberry, Hughes, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Line, Meacham, Morgan, Nicholson, Orr, Osborn, Parker of Brown, Pierce, Rice, Riley, Rippey, Rousseau, Ryan, Shaw, Smith, Snook, Thompson, Wade, Wilson, Winstandley, Withers, Wolfe, Wood, Young and Mr. Speaker—54.

*Those who voted in the negative are,*

Messrs. Alden, Barbour, Bryant, Bundy, Casselberry, Cockrum, Dawson, Decker, Doyle, Drake, Dunn, Frazer, Gillum, Goldsberry, Harlan, Hendricks, Hill, Howell, Huddleston, Hunt, Jackman, James, Johnson of Dearborn, Julian, Kelley, Kelso, Lozier, Maddox, Meredith, Miller, Mills, Odell, Parker of Allen, Place, Rifner, Ross of Miami, Ross of Wabash, Spencer, Stanton, Starbuck, Tuttle, Vance, Vawter and Webster—44.

So the vote was reconsidered.

A message from the Senate, by Mr. Test, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment:

No. 3. An act to incorporate the Williamsburg and Centerville Turnpike company;

No. 7. An act to amend an act entitled "an act to incorporate the College Corner and Liberty turnpike company, and the Liberty and Abington turnpike company ;

No. 38. An act to vacate a part of a certain road in the county of Dearborn ;

No. 51. An act to authorize a company to construct the Milton and Aurora Turnpike ;

No. 243. An act relative to roads and highways in Brown county;

No. 247. An act to authorize a Company to construct a Turnpike Road from the point where the present State Road leading from Oxford to Connersville crosses the State line of Ohio and Indiana, to Connersville.

On motion by Mr. Duvall,  
The House adjourned.

WEDNESDAY MORNING, JAN. 10, 1848.

The House met.

On motion by Mr. Line,

The reading of the journal was dispensed with.

The Speaker laid before the House, the following communication from the Auditor of State, in replying to a resolution of the House:

AUDITOR OF STATE'S OFFICE,  
January 9, 1849. {

Hon. G. W. CARR,

*Speaker of the House of Representatives:*

SIR:—I have just received a resolution, adopted by the House of Representatives, this day, requesting the Auditor and Treasurer of State, to communicate to the House, “*when, by whom, for what purpose, and for what reasons amounts have heretofore been drawn from the State Treasury beyond the appropriations made by law, as shown by the Auditor's Annual Report,*” and reply as follows :

The balances overdrawn under some of the heads mentioned in the Auditor's Report, have been accumulating for many years. Take for example, the judiciary account. The amount overdrawn on this account in 1843, was \$12,842 80; in 1844, it amounted to \$14,826 20; in 1845, it was \$14,141 51; in 1846, it was \$14,186,73; in 1847, it was \$14,346 18; and in 1848, as will be seen by the Auditor's Report, to which the resolution refers, it was \$13,237 75. It has been the custom for the Auditor, in his Annual Report, to make an estimate of the probable amount which will be needed to meet the ordinary expenditures of the year just commencing, and this estimate has generally been adopted by the committee of ways and means, as the amounts to be appropriated, leaving entirely out of view, the previous balances. The estimates of the Auditor are made from the best information he has before him, and in relation to several of the items may be made with accuracy, provided those entitled to salaries under those heads draw the whole of their salaries within the year, and provided there be no claims of a previous date undrawn. In regard to some of the items, however—as for instance the Legislative account, the State Prison account, the Specific appropriation account, the account for Public Printing, and the Stationery account; the amounts cannot be accurately estimated, for the reason that they vary so much from year to year, and are affected by circumstances of which he can

have no knowledge, and over which he has no control. The Legislative account will be more or less, as the session shall be shorter or longer ; the Public Printing and Stationery accounts will depend on the amount of printing directed to be done ; and the State Prison account will depend upon the number of convicts and the distance of transportation to the State Prison. The appropriations for any of these objects, may be more or less than will be required, but whether more or less, does not at all affect the amount paid out of the Treasury, because the compensation allowed in each case is fixed by law. The laws establishing the salaries and compensations for the various services required to be performed, and the *permanent* appropriations under the first article of chapter 13, of the Revised Statutes of 1843, would, it is supposed, require their payment even if no appropriation were made from year to year by the General Assembly, and of course furnish a good reason for making payment, *according to law*, even if they go beyond the appropriation recommended by the committee of ways and means. It will be observed by the last report from this office, that, taking the year 1848 by itself, about as many of the heads under which the ordinary expenditures are kept, show a balance unexpended as show amounts overdrawn ; and it will also be seen that most of the accounts overdrawn, are such as are above referred to as being varied from year to year by circumstances which cannot be foreseen. The reason why it was suggested that the appropriation bill should provide for the balances referred to in the report, was that the accounts might be balanced, and that they might cease to be brought forward as some of them have been for a number of years. It will not take a dollar more out of the Treasury. The money has already been paid in all the cases, and in some instances more than half a dozen years ago. The large balances overdrawn in the judiciary account, it is supposed, arose from the increase in the number of the circuits and the increase of the salaries of the supreme and circuit judges some ten years ago, without making a corresponding increase in the amount appropriated.

Trusting that this general explanation has substantially answered the inquiries contained in the resolution,

I am, very respectfully,

Your obedient servant,

D. MAGUIRE,  
*Auditor of State.*

On motion by Mr. Brady,

The communication was laid on the table.

Leave of absence was granted to Mr. Campbell, from Friday next until the close of the present session.

On motion by Mr. Brady,

The House took up the bill which was under consideration at the adjournment on yesterday :

No. 167. A bill to increase and extend the benefits of Common schools;

The vote on laying the amendment of Mr. Edmonston on the table, having been reconsidered, the pending question was on laying the said amendment on the table.

Mr. Bryant moved the previous question.

Mr. Buskirk moved a call of the House;

Which motion prevailed.

Leave of absence was granted to Mr. Spencer.

After some time spent therein, eighty-eight members answered to call of their names.

Mr. Miller moved to dispense with a further call of the House;  
Which motion did not prevail.

On motion by Mr. Edwards,

The absentees were sent for.

On motion by Mr. Casselbury,

A further call of the House was dispensed with.

The question then being on seconding the call for the previous question,

The ayes and noes being demanded by Messrs. Dowling and Buskirk,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Barbour, Brady, Bryant, Bundy, Campbell, Casselberry, Cockrum, Dawson, Decker, Doyle, Dunn, Gessie, Graham, Hankins, Harlan, Hill, Howell, Huddleston, Hughes, Hunt, Jackman, Johnson of Dearborn, Jones of Bartholomew, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meredith, Miller, Mills, Odell, Parker of Allen, Place, Rifner, Rippey, Ross of Wabash, Stanton, Starbuck, Vance, Vawter, Webster, and Young—46.

*Those who voted in the negative are,*

Messrs. Alexander, Blakemore, Buskirk, Caldwell, Chambers, Cox Cravens, Donnohue, Dougherty of Morgan, Dowling, Drake, Edmonston, Edwards, Frazer, Ford, Gillum, Hendricks, Hicks, Huckelberry, James, Johnson, of Putnam, Jones of Huntington, Meacham, Morgan, Nicholson, Orr, Osborn, Parker, of Brown, Pierce, Rice, Riley, Rousseau, Ryan, Shaw, Smith, Snook, Thompson, Tuttle, Wade, Wilson, Winstandley, Withers, Wolfe, Wood, and Mr. Speaker—45.

So the previous question was seconded.

The question then being,

“Shall the main question be now put?”

The ayes and noes being demanded by Messrs. Wolfe and Withers:

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Barbour, Brady, Bryant, Bundy, Caldwell, Campbell, Casselberry, Cockrum, Dawson, Decker, Doyle, Drake, Dunn, Gessie, Graham, Hankins, Harlan, Hendricks, Hill, Howell, Huddleston, Hughes, Hunt, Jackman, Johnson, of Dearborn, Jones, of Bartholomew, Jones, of Huntington, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meredith, Miller, Mills, Odell, Parker, of Allen, Pierce, Place, Rifner, Rippey, Ross, of Wabash, Stanton, Starbuck, Vance, Vawter, Webster, and Young—51.

*Those who voted in the negative are,*

Messrs. Alexander, Blakemore, Buskirk, Chambers, Cox, Cravens, Dobson, Donnohue, Dougherty, of Morgan, Dowling, Duvall, Edmonston, Edwards, Frazer, Ford, Gillum, Goodwin, Hicks, Huckleberry, James, Johnston, of Putnam, Meacham, Morgan, Nicholson, Orr, Osborn, Parker, of Brown, Rice, Riley, Rousseau, Ryan, Shaw, Smith, Snook, Thompson, Tuttle, Wade, Wilson, Winstandley, Withers Wolfe, Wood, and Mr. Speaker—43.

So it was decided that the main question should be now put.

The question then recurring on the main question,

Which was,

“Shall the bill be engrossed?”

The ayes and noes being demanded by Messrs. Wolfe and Riley :

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Barbour, Blakemore, Brady, Bryant, Caldwell, Campbell, Casselberry, Cockrum, Dawson, Decker, Doyle, Drake, Dunn, Frazer, Gessie, Graham, Hankins, Harlan, Hendricks, Hill, Howell, Huckleberry, Hughes, Hunt, Jackman, Johnson, of Dearborn, Jones, of Bartholomew, Jones, of Huntington, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meredith, Miller, Mills, Odell, Parker, of Allen, Pierce, Place, Rippey, Ross, of Wabash, Smith, Stanton, Starbuck, Vance, Vawter, Webster, and Young—52.

*Those who voted in the negative are,*

Messrs. Alexander, Bundy, Buskirk, Chambers, Cox, Cravens, Dobson, Donnohue, Dougherty, of Boone, Dougherty, of Morgan, Dowling, Duvall, Edmonston, Edwards, Ford, Gillum, Goodwin, Hicks, Huddleston, James, Johnston, of Putnam, Meacham, Morgan, Nicholson, Orr, Osborn, Parker, of Brown, Rice, Rifner, Riley, Rousseau, Ryan, Shaw, Snook, Thompson, Tuttle, Wade, Wilson, Winstandley, Withers, Wolfe, Wood, and Mr. Speaker—43.

So the bill was ordered to be engrossed.

## PETITIONS &amp;C. PRESENTED.

By Mr. Blakemore,

The petition of Josephus Kelley and other citizens of Cass county on the subject of temperance ;

Which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Huddleston,

The petition of citizens of Rush county, praying for a State road ; Which,

On motion,

Was referred to a select committee, consisting of, Messrs. Huddleston, Cox, and Tuttle.

By Mr. Vance,

Two "Temperance Memorials" of sundry citizens of Marion county ;

Which,

On motion,

Were referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Meacham,

The petition of P. E. Harris and others, of Parke county, on the subject of making the sale of spirituous liquors a crime punishable by confinement in the penitentiary ;

Which,

On motion,

Was referred to the committee of one member from each judicial circuit on the same subject.

By Mr. Frazer,

The "Temperance Memorial" of citizens of Kosciusko county ;

Which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Hendricks,

The petition of John Campbell, of Shelby county ;

Which,

On motion,

Was referred to a select committee, consisting of, Messrs. Hendricks, Hughes, and Osborn.

By Mr. Kelley,

The petition of citizens of Ripley county, in relation to roads ; Which,

On motion,

Was referred to the committee on roads.

By Mr. Hankins,

The "Temperance Memorial" of citizens of Fayette county ;

Which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Hill,

The petition of citizens of Clinton county for a charter for a Railroad from Frankford to intersect the Indianapolis and Lafayette Railroad at some point west of Thorntown;

Which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Hill, Dougherty, of Boone, and Risner.

By Mr. Wood,

The memorial of Carey S. Goodrich and others, of Randolph county;

Which,

On motion,

Was referred to the committee on education.

By Mr. Dawson,

The "Temperance Memorial" of citizens of Steuben county;

Which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Wood,

The petition of citizens of Randolph county, praying a special law reducing the price of license for the sale of spirituous liquors in said county;

Which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Wood, Howell, and James.

Mr. Brady moved to take up the messages from the Senate.

Which motion did not prevail.

By Mr. Hicks,

The petition of citizens of Johnson county, praying for the repeal of the law authorizing the people to vote for and against granting license for the sale of spirituous liquors;

Which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

Mr. Vance moved to take from the table,

No. 234. A bill to extend the jurisdiction of a Justice of the Peace in Allisonville, Marion county;

Which motion did not prevail.

## REPORTS FROM COMMITTEES.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred Senate bill, No. 77, entitled an act for the relief of John and Sarah Wilson, &c., have had that subject under consideration, and a majority of your committee are of opinion, that to grant a dissolution of the marriage contract, by Legislative enactment, would be in contravention of the true letter, spirit, and meaning of the Constitution of the United States, and the Constitution of the State of Indiana.

Your committee have consulted some of the standard law writers, both of England and America, and find them agreeing that marriage is a civil contract. Such is the doctrine held by Sir William Blackstone, Chief Justice Marshall, Chancellor Kent, and Justice Story, men of acknowledged ability and renowned for their legal attainments. Those authors all agree that a contract is an agreement to do or not to do a particular thing. It is in other words a mutual compact between two or more persons. They further agree that contracts are of two kinds: executed and executory. And Justice Story, in his work on Constitutional law, declares both executed and executory contracts, to be equally within the constitutional provision in regard to impairing the obligation of contracts.

In the case of *Milford vs. Worcester*, 7th Massachusetts Reports, Chief Justice Parsons says : "Marriage is unquestionably a civil contract. It is an agreement by which a single man and a single woman, of sufficient discretion, take each other for husband and wife."

"From the nature of the contract (says Judge Parsons) it exists during the lives of the contracting parties, except it be dissolved for causes which defeat the object of marriage, or from relations imposing duties which are repugnant to matrimonial rights and obligations."

Chancellor Kent, in speaking of marriage, says : "No persons are capable of binding themselves in marriage until they have arrived at the age of consent, which is by the common law fixed at fourteen for males and twelve for females. The law supposes that the parties at that age have sufficient discretion for such a contract."

Chief Justice Swift, in speaking of marriage says : "Under this head it must be observed; 1st, That the parties must be of ability to *contract*. 2d, That a *contract* must be made, and 3d, That the *contract* must be solemnized and published according to the ceremonies required by law."

He also enumerates divers causes which render persons incap-

ble of entering into the marriage contract, such as want of age, want of reason, &c.

He further states, "The parties must make a *contract*, which arises from their mutual agreement and consent, when they labor under no disability, and that by the law of nature, as well as by the civil law, it is a mutual *contract*, as I marry you in consideration that you marry me, &c."

In our Statute of 1843 (page 595) the following language is used : "Marriage, so far as its validity in law is concerned, shall continue in this State a *civil contract*, to which the consent of the parties, capable by law of entering into such *contract*, shall be essential," and fixes the age of discretion at seventeen for males, and fourteen for females, thereby changing the common law in that particular.

Your committee are therefore clearly of opinion that marriage is to all intents and purposes a civil contract, according to the laws in force in this State, and that to grant a divorce is to dissolve such contract, and thereby to destroy the validity and obligation thereof.

Your committee beg leave next to direct the attention of the House to the Constitutional provisions in regard to contracts. By the first clause of the 10th section in the first article of the Constitution of the United States it is provided and declared that "No State shall enter into any treaty, alliance, or confederation, grant letters of marque and reprisal, coin money, emit bills of credit, make any thing but gold and silver coin a tender in payment of debts, pass any bill of attainder, expost facto law, or *law impairing the obligation of contracts*," &c.

By the 18th section of the first article of the Constitution of the State of Indiana, it is provided and declared that "No expost facto law or *any law impairing the validity of contracts shall ever be made*," &c.

The question next to be settled is what amounts to the impairing the obligation or validity of a contract.

Justice Story, in treating upon that subject, says : "Whatever I by contract give another a right to require of me, I by that act lay myself under an obligation to yield or bestow."

The obligation, then, of every contract will consist of that right or power over my will or actions, which I by my contract confer on another. Argument is, therefore, altogether unnecessary to prove to any body of men, possessing common intelligence, in what the obligation of the marriage contract consists."

As to what amounts to the impairing the obligation of a contract, Judge Story says : "It is perfectly clear that any law which enlarges, abridges or in any manner changes the intention of the parties resulting from the stipulations in the contract, necessarily impairs its obligation. The manner or degree in which this change is effected, can in no respect influence the conclusion, for whether the law effects the validity, the construction, the duration, the discharge, or the evidence of the contract, it impairs its obligations,

though it may not do so to the same extent in all the supposed cases.

Any deviation from its terms, by postponing or accelerating the time of performance, which it prescribes, imposing conditions not expressed in the contract, or dispensing with the performance of those which are "a part of the contract, however minute, or apparently immaterial in their effect upon it, impairs its obligation. And for a still stronger reason, a law which makes the contract wholly invalid or extinguishes or releases it, is a law impairing its obligations."

With the evidence derived from the authorities above referred to, your committee can but say, that in their opinion an act of the Legislature dissolving the banns of matrimony, entirely destroying the whole force and effect of the marriage contract, is in direct and palpable contravention of the provisions both of the Constitution of the United States, and of the State of Indiana.

There is still another provision in the construction of our own State, which your committee deem worthy of consideration in connection with the present subject. By the 2d article of that Constitution it is provided and declared, that "the powers of the government of Indiana shall be divided into three distinct departments, and each of them be confided to a separate body of magistracy, to-wit: Those which are legislative to one; those which are executive to another; and those which are judiciary to another; and no person or collection of persons being of one of those departments, shall exercise any power properly attached to either of the others, except in the instances herein expressly permitted."

By statuary provision in this State the granting divorces and all the powers incident thereto, have been and are conferred upon the judicial department of our State Government and not to the legislative department thereof.

Another question is now presented, viz: is the granting of dissolution of the marriage contract necessarily a judicial act? Your committee believe it is. Should the legislature in acting upon such cases, take the precaution, necessary to be taken to prevent fraud and imposition and give to each of the parties interested a fair opportunity of canvassing the rights of character and property, which may be and most usually are involved in all legislation upon bills of the sort, it must not only bear the allegations of the parties, but also the proof in support of such allegations; both the parties must have notice of the proceedings either actual or constructive, the legislature must have jurisdiction not only of the subject matter to be acted upon, but of the persons who are to be affected by such action, and upon such allegations and proofs, the legislature must deliberate and determine as to the rights and interests of the parties involved; and this determination is a judicial act. It is an adjudication and determination of the rights and conflicting interests of individuals.

To pass such a bill with an eye single to common justice, requires

to bear evidence as to the *violation of a civil contract*, and also the power of determining as to the sufficiency of such proof, to justify the dissolution of that contract, and lastly the judicial act of declaring the contract void.

Now, by the constitutional provision last cited, the legislature is strictly forbidden the exercise of judicial powers. Is there any good reason why it shall assume such a power in regard to dissolving the marriage contract, over and above other civil contracts? We think not.

Your committee are aware, that the legislature has a right to declare what shall amount to a violation of a contract made after the passage of the law, but it remains to the judiciary to determine whether the facts, declared by the legislature to amount to such violation, does or does not exist. Or in other words, the legislature has power to pass laws, and the judiciary the exclusive power of enforcing them when enacted.

Your committee urge this as a further evidence of the unconstitutionality of granting divorces by direct legislative enactment, for be it remembered there is no such thing as a concurrent jurisdiction between any two departments of our State Government.

But upon this point we are by no means destitute of authorities. Chancellor Kent says:—"The question of *divorce* involves investigations, which are properly of a judicial nature, and the jurisdiction over *divorces* ought to be confined *exclusively* to the judicial tribunals, under the limitations prescribed by law."

Judge Story, on the same subject, says:—"I am not prepared to admit a power in the Legislatures to dissolve a *marriage contract* without a *judicial inquiry* to ascertain the breach of the contract."

Former Legislatures have declared what shall be sufficient cause for divorce, and our law clearly shows that matters of that sort require a demonstration by means of evidence. *For example*, it provides that "on the hearing or trial of any bill for a divorce, or an answer in the nature of a cross-bill, the default of either party to answer the same, or failure to appear, shall, in no case, dispense with proof of the allegations made by the parties respectively."

Again—"Although the cause of divorce charged be admitted by the opposite party, or the bill or answer in the nature of a cross-bill be taken as confessed, a decree of divorce shall not be rendered for such cause without due proof thereof."

No divorce may therefore be granted by even judicial authority without due proof of the existence of a legitimate cause. If it is, then, a matter subject to the rules of evidence alone, can it be contended that the Legislature would be confining itself to the proper exercise of its authority to procure and examine that evidence? And can it be contended that it is right and proper to grant divorces on mere *ex parte* applications, without any proof whatever?

In our sister State (Missouri,) where they have a constitution very similar to our own, certainly not stronger or more pointed, their supreme judicial authorities have decided that "an act of the Legis-

lature dissolving the marriage contract is *void*. And that if the parties afterwards intermarry they are liable to indictment and to suffer the pains and penalties imposed for the crime of bigamy ; and that a plea of present divorce by the Legislature would be rejected as a nullity.

In 1825, the Territory of Florida, by her Territorial Legislature, passed two acts granting divorces. Each act has a preamble setting out a good cause of divorce. They read in the following language :

1st. Whereas, it is represented to this present legislative council, that Elizabeth McIntosh, (who before her marriage with James McIntosh was named Elizabeth Aiken,) has violated her conjugal fidelity to her said husband (who is a resident of Monroe county in this territory,) in a most public and shameful manner ; and whereas, said McIntosh has petitioned to be divorced from his aforesaid wife, therefore, for the relief of the said James McIntosh,

*Be it enacted by the Governor and the Legislative Council of the Territory of Florida,* That the marriage of James McIntosh aforesaid with Elizabeth his wife, formerly Elizabeth Aiken, be, and the same is hereby dissolved, and the said Jas. McIntosh is hereby released from all civil or moral obligation to contribute any money or other thing to the support or maintenance of the said Elizabeth, during their natural lives, or the natural life of either of them.

Which said enactment bears date 19th November, 1825, is subscribed by the proper officers, and approved by the Governor.

The second case is as follows :

Whereas, it is represented to this present legislative council that Charlotte Courtier, of Nassau county in this territory, is the lawful wife of one Isaac K. Courtier, and that the said Isaac is an habitual drunkard, idle and dissolute, and contributes nothing to the support of his aforesaid wife, engaging and employing himself in attending upon and frequenting the company of profligate and ill-famed women ; and whereas, the said Charlotte Courtier has petitioned to be divorced from her aforesaid husband, as well as to be restored to the name which she bore before her intermarriage with the said Isaac ; therefore,

*Be it enacted by the Governor and Legislative Council of the Territory of Florida,* That the marriage of the said Charlotte Courtier with the said Isaac K. Courtier, be, and the same is hereby dissolved, and the aforesaid Charlotte is hereby released from all allegiance and fidelity or obligation to him the said Isaac.

In May, 1826, some seven months after the passage of those acts, the same were together with some 9 other acts of the same territory, presented to Congress for their approval and confirmation, and the Congress of the United States unqualifiedly repudiated both said divorce laws, and declared the same to be null and void, and confirmed all the other acts presented. Whether those acts were condemned by Congress on the grounds of constitutionality or expediency or both, your committee are not fully advised ; but it

can be regarded in no other light than as a strong national condemnation of the practice of dissolving, or attempting to dissolve, the marriage contract by legislative enactment.

Your committee, in view of all the foregoing, and believing that in a majority of the cases presented to the legislature, there is at least great danger of doing irreparable injury to the party not represented here, have come to the conclusion, on mature reflection, that it is both *unconstitutional* and *inexpedient* for this House to pass bills having for their sole object the dissolution of the marriage contract, by the action of the legislature alone.

Your committee would therefore respectfully recommend the adoption of the following resolutions, to-wit:

*Resolved*, That in the opinion of this House it is a contravention of the constitution of the United States, and the constitution of the State of Indiana, to pass laws for the sole purpose of dissolving the marriage contract between parties, without the intervention of judicial authority.

*Resolved*, That in the opinion of this House it is inexpedient and improper to pass laws having for their sole object the dissolution of the marriage contract.

On motion by Mr. Edmonston,  
The resolutions and accompanying report was laid on the table.  
Mr. Julian moved to lay the bill on the table.  
The ayes and noes being demanded by Messrs. Smith and Kelso,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Allen, Blakemore, Brady, Bryant, Burkirk, Caldwell, Casselberry, Cockrum, Cox, Dawson, Decker, Donohue, Dougherty of Boone, Dougherty of Morgan, Drake, Duvall, Frazer, Gillum, Graham, Hicks, Hill, Howell, Huddleston, James, Johnston of Dearborn, Johnson of Putnam, Jones of Huntington, Julian, Kelso, Line, Lozier, Maddox, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Parker of Allen, Rice, Rifner, Shaw, Snook, Stanton, Starbuck, Tuttle, Vawter, Wolfe, Young and Mr. Speaker—55.

*Those who voted in the negative are,*

Messrs. Barbour, Bundy, Campbell, Chambers, Cravens, Dobson, Dowling, Dunn, Edmonston, Edwards, Ford, Gessie, Goodwin, Harlan, Hendricks, Huckleberry, Hughes, Hunt, Jackman, Kelly, Parker of Brown, Pierce, Place, Riley, Rippey, Ross of Wabash, Smith, Thompson, Wade, Webster, Wilson, Winstandley and Withers—33.

So the bill was laid on the table.

Mr. Dawson, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of sundry citizens of Clinton county, praying the passage of a law requiring informants who shall voluntarily appear before the grand jury or a justice of the peace, to give information in regard certain offences against the criminal law, to give bond and security, and who shall on his bond be responsible for costs, provided the prosecution fail, have had the same under consideration, and have directed me to report that it is inexpedient to grant the prayer of said petition, and ask to be discharged from the further consideration of that subject.

Which report was concurred in.

Mr. Barbour, chairman of the judiciary committee, made the following report :

MR. SPEAKER :

The judiciary committee, to which was referred bill of the House No. 308, have instructed me to recommend the adoption of the following amendment as a substitute for said bill :

No. 308. A bill for the better security of the surplus revenue fund in Boone county.

Strike out from the enacting clause, and insert the following amendment :

"That the auditor of Boone county be, and is hereby authorized to sell at private sale, after giving due notice of the terms thereof, the lands hereafter bid in by said auditor for the use of the surplus revenue, under a decree of the Boone circuit court, against Daniel Heaton, and the lands bid in as aforesaid under an execution of said court against Jonathan H. Rose, and in favor of said fund; *provided*, That said lands shall not be sold for a less sum than the amount of principal loaned thereon.

"Sec. 2. The proceeds of such sale when made shall be paid into the county treasury, and the treasurer's receipt taken for the amount of principal, as 'loans of surplus revenue refunded,' and for interest as in other cases, which receipts shall be filed in the office of the county auditor, and the county treasurer charged therewith.

"Sec. 3. The sum received as principal under the provisions of this act shall be loaned out by said auditor under the law regulating the loaning of surplus revenue, and the sum received as interest shall be appropriated, under the direction of the county board, to the payment of costs incurred in obtaining the decree, and judgment aforesaid.

"Sec. 4. Should the auditor deem it advisable to sell said lands, or any part thereof, upon time, he shall so report to the county board of said county, who, if they are of opinion that it would be to the interest of said fund so to sell said lands, shall enter upon their record defining the terms of sale by which the auditor shall be governed in making the same, and in such case the purchaser shall be required to give bond with sufficient security, payable to the State of Indiana, in a penal sum equal to the amount of purchase money, conditioned that the purchaser shall not cause, or suffer ware of the lands, or the improvements thereon, and to surrender to the State the possession thereof, on the failure of said purchaser to comply with the terms of purchase.

"Sec. 5. On the full payment of the purchase money into the county treasury, as in this act provided, the lien of the State shall be diverted in favor of the purchaser or his heirs; and the said auditor shall execute, acknowledge, and deliver a deed of conveyance for the same, which shall vest the title of the State to said land in the purchaser or purchasers, as fully and completely as the State holds the same.

"Sec. 6. This act to be in force from and after the filing of a copy thereof in the office of the auditor of the county of Boone."

Which amendment was adopted.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Barbour, chairman of the judiciary committee, made the following report:

MR. SPEAKER :

The judiciary committee, to which was referred the petition of sundry citizens of Floyd county, praying the impeachments of Ira W. Gunn, a justice os the peace of said county, have instructed me to return to the House said petition, with the suggestion that the brief time remaining of the session will not admit of the protracted investigation which the nature of the case would require; they therefore ask to be discharged from the further consideration of that subject.

Which report was concurred in.

Mr. Riley, from the committee on the State Prison, made the following report:

MR. SPEAKER :

The committee on the State Prison, to whom was referred bill of the House No. 308, an act concerning the funds arising from the

leasing of the Indiana State Prison, and for other purposes, have had that subject under consideration, and directed me to report said bill back to the House without amendment and recommend its passage, and ask to be discharged from the further consideration of of the subject.

Mr. Drake moved to lay the bill on the table ;  
Which motion did not prevail.  
The bill was then ordered to be engrossed.

Mr. Jones, of Bartholomew, from the committee on roads, made the following report.

MR. SPEAKER :

The committee on roads, to which was referred the petition of sundry citizens of German township, Bartholomew county, have had the same under consideration, and inasmuch as there is now a bill before the House in which the subject matter of the petition is embraced, the committee have instructed me to report the same back to the House and recommend that it be laid on the table, and the committee ask to be discharged from its further consideration.

Which report was concurred in.

Mr. Dougherty of Boone, chairman of the committee on public buildings, made the following report :

MR. SPEAKER :

The committee on public buildings, to whom was referred the communication of the Auditor, on the subject of repairing the buliding on the Governor's circle, have had the same under consideration, and directed me to report that in the opinion of the committee, it is inexpedient to legislate upon that subject at this time, and ask to be discharged from the further consideration of the matter.

Which report was concurred in.

Mr. Dowling, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred bill of the House No. 230, entitled "an act to amend an act appointing a board of superintendents to superintend the changing of the channel and leveling the banks of Jordan creek, in Vigo county, and for other purposes, approved January 15, 1846," have had the same under consideration, and have directed me to report the same back to the House with one amendment, and when adopted, respectfully recommend its passage.

Strike out from the enacting clause, and insert the following :

That the superintendents named in the act to which this is an amendment, or a majority of them, may give written notice to all persons taxed, or purposed to be taxed, to pay for the draining or leveeing of Jordan creek in Vigo county, to meet at the house of \_\_\_\_\_, in Honey creek township in said county, at such time as may be agreed upon by the said superintendents ; who, when assembled, may elect by ballot three discreet and disinterested citizens of said township, to act as a board of arbitrators, whose duty it shall be to take into consideration the assessments made under the act above recited, and to equalize them in proportion to the benefits which shall accrue to the various tracts of land, by reason of the draining of said creek : *Provided*, That said arbitrators shall not assess on the lands taxed a sum below the whole amount necessary to pay for the improvements made, and the expenses necessary to carry out the provisions of the law to which this is amendatory.

Sec. 2. If any owner of lands taxed under the authority of the act to which this is an amendment, shall feel aggrieved by the award of the arbitrators elected under the authority of this act, they may take an appeal from the same to the circuit court of Vigo county, in the same manner as appeals are taken from justices' courts : *Provided*, Any such appeal shall be taken in thirty days after the assessment or assessments shall have been made by the arbitrators, and a copy of the same in writing shall have been delivered to him by one of the superintendents named in the act to which this is amendatory.

Sec. 3. The arbitrators to be chosen by virtue of the first section of this act, shall, before entering upon their duties, take an oath or affirmation that they will faithfully, impartially, and diligently perform the duties of arbitrators in the case or cases submitted ; and they shall be entitled to receive the sum of one dollar and fifty cents each for each day necessarily employed in such duties, to be paid by the superintendents named in the act to which this is an amendment, out of any moneys coming into their hands by virtue of the act above recited.

Sec. 4. When the arbitrators shall have completed the assessments, it shall be their duty to deliver the same in writing to the superintendents named in the act to which this is an amendment, and it shall then be the duty of the said superintendents to notify the persons assessed of their respective liabilities under the law, in writing, and demand payment, which, if refused or neglected for ninety days, shall be recoverable by suit before any court having competent jurisdiction.

Sec. 5. It shall be lawful for the superintendents aforesaid to place in the hands of one of their own body the duplicate of assessments, who is hereby empowered to collect the same, and it is made the duty of the said superintendents to allow him such reasonable

compensation as to them shall seem proper, to be paid out of any moneys coming into their hands by virtue of the act to which this is an amendment.

Sec. 6. The name "Jeremiah," where it occurs in the act to which this is amendment, is hereby stricken out; and any three of the superintendents shall constitute a board for the transaction of business.

Sec. 7. This act to be in force from and after its passage.

Which amendment was concurred in.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Kelso, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of William Hall and others, have had the matter under consideration, and have directed me to report the following bill and recommend its passage.

No. 323. A bill fixing the fees of the Auditor of Switzerland county;

Was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Bundy, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sundry citizens of Greensboro' township in the county of Henry, praying the enactment of a law to prohibit the sale of intoxicating drinks in such township, have had that matter under consideration, and have instructed me to report that the provisions of a law to prevent intemperance in Wayne township in said county have been extended to said township of Greensboro', and are amply sufficient to subserve the end desired by the petitioners; they therefore ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Webster from a select committee made the following report on the part of a minority:

MR. SPEAKER:

The minority of the select committee to whom was referred the

petition of citizens of Elkhart and La Grange counties praying for the incorporation of the Elkhart Railroad Company, disagreeing with the majority of the aforesaid select committee as to the desirability or necessity of such a road to the prosperity of the northern counties of this State beg leave most respectfully to report,

1st, That the proposed route runs parallel to, or directly upon the surveyed route of the Buffalo and Mississippi Railroad, and is intended as we conceive as an evasion of the privileges of the aforesaid Buffalo and Mississippi Railroad company as chartered by the General Assembly of the State of Indiana.

2d, Should this proposed road be chartered and built, it will leave the State of Indiana near the western border of La Grange county and form a juncture with one of the Michigan Railroads, carrying the trade around the north eastern counties of this State, and will afford them no facilities for the export of their surplus produce, and by forestalling the construction of the Buffalo and Mississippi Railroad divert a large share of trade from that line and delay the construction of that road to a very indefinite period.

3d, We beg to represent that the line of the Buffalo and Mississippi Railroad is the natural and only direct route from the northern tiers of counties in this State to the shores of Lake Erie, and that all others must be very circuitous, or touch the navigable waters of the Lake at points where the harbors are shallow and the difficulties of ingress and egress, are such as will of necessity increase the cost of transshipment of goods and merchandize, and must thus injuriously affect the interests of the northern portion of this State.

We, the undersigned, therefore most respectfully remonstrate against such a grant as is proposed, and protest against any infringement of the privileges heretofore granted to the Buffalo and Mississippi Railroad company.

E. A. WEBSTER.

On motion by Mr. Kelso,

The report was laid on the table.

Mr. Kelso from a select committee made the following report :

MR. SPEAKER :

The select committee to whom was referred the petitions of citizens of Dearborn and Ohio counties, on the subject of straightening the line between said counties, have had that subject under consideration, and a majority of said committee have directed me to report against legislation on that subject.

Mr. Kelso moved to recommit the petition to a select committee of five.

Mr. Johnson of Dearborn moved to lay the petition on the table; Which motion did not prevail.

The question then recurring on recommitting to a select committee, was decided in the affirmative.

Messrs. Kelso, Lozier, Dunn, Drake and Parker of Brown, were appointed said committee.

Mr. Huddleston from a select committee made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Rush and Henry counties on the subject of a State road from Ogden, in Henry county, to a certain point in Rush county, have had that subject under consideration, and have directed me to report the following bill and recommend its passage :

No. 324. A bill establishing a State road in the counties of Rush and Henry ;

Which was read the first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second and third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Bundy from a select committee made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Henry county praying for a charter to construct a plank road on that portion of the National Road situated within the limits of said county, have had that matter under consideration, and have instructed me to report that the charter granted at the last session to the "Henry county turnpike company," has been so amended by the present Legislature, as to invest the directors of said company with a discretionary power to construct all or any part of said road of plank in lieu of gravel, and that in their opinion further legislation is unnecessary. They therefore ask to be discharged from the further consideration of the subject;

Which report was concurred in.

Mr. Riley from a select committee made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of George Pherson and others, praying to change the name of Lewisburg, in the county of Hancock, to that of Eden, have had the same under consideration, and directed me to report the following bill and recommend its passage :

No. 325. A bill to change the name of Lewisburg to that of Eden;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Wade from a select committee made the following report:

MR. SPEAKER :

The select committee to whom was referred a petition for the relief of the trustees of the christian church at Stilesville, Hendricks county, Indiana, have had the same under consideration, and instructed me to report the accompanying bill and recommend its passage :

No. 326. A bill for the relief of the christian church at Stilesville, Hendricks county, Indiana ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Lozier from a select committee made the following report:

MR. SPEAKER :

The committee to whom was referred the petition of sundry citizens of Dearborn county praying for a law making each township support its own poor until they are lodged in the county poor house, have had the same under consideration and directed me to report the following bill and recommend its passage :

No. 327. A bill in relation to paupers in the county of Dearborn;

Which was read three several times the rules having been suspended therefor and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Buskirk, from a select committee made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of the counties of Monroe, Owen and Greene, praying for the establishment of a State road from Bloomington by the way of Whitehall to Point Commerce, have directed me to report the following bill and recommend its passage.

No. 328. A bill to establish a State road from Bloomington to Point Commerce ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Dawson, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of DeKalb county, praying the appropriation of certain land tax to the improvement of the road leading from the Ohio State line, near John Henry's, to Auburn, have had the same under consideration, and have directed me to report the following bill and respectfully recommend its passage.

No. 329. A bill to improve a certain road in DeKalb county ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Wood, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Philip Allen and others, of the county of Randolph, praying for the relief of Dempsey Linton, have had that subject under consideration and directed me to report the following bill and recommend its passage, viz:

No. 330. A bill for the relief of Dempsey Linton of Randolph county ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Kelso, on leave, offered the following resolution :

*Resolved*, That the use of the Hall of the House of Representatives be given to Dr. Matthews, of Clark county, this evening January 10th, at 7 o'clock, for the purpose of lecturing upon the subject of the Indiana Hospital for the Insane.

Which was adopted.

Mr. Snook, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Montgomery and Hendricks counties, in relation to a

State road, report that bill No. 295, now on file, answers the prayer of said petition and recommend its passage ;

Which was concurred in.

Mr. Buskirk, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry voters of the county of Monroe, praying for the repeal of an act entitled "an act to confine voters to their respective townships, approved January 13, 1845," so far as the same relates to the county of Monroe, have had the same under consideration and have directed me to report the following bill and recommend its passage.

No. 331. A bill to repeal an act entitled, "an act to confine voters to their respective townships, approved January 13, 1845," so far as the same relates to the county of Monroe.

Which was read a first time, and passed to a second reading.

On motion by Mr. Allen,

The House took up,

No. 282. A bill to incorporate the Knox Insurance Company ;

Which was read a second time, and ordered to be engrossed.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Duvall, on leave, introduced,

No. 332. A bill to incorporate the Rockville and Montezuma Plank Road Company ;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and ordered to be engrossed.

Mr. Caldwell, on leave, introduced,

No. 333. A bill to incorporate the trustees of the Clark University ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

On motion by Mr. Buskirk,

The order of business was suspended for the introduction of bills.

Mr. Hendricks introduced,

No. 334. A bill to authorize the Shelbyville Lateral Branch Railroad Company to dispose of their real estate ;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time.

Mr. Jones of Bartholomew moved to amend the bill by adding the following section :

See. 3. It shall be lawful for said Shelbyville Lateral Branch Railroad Company, (subject to the terms, limitations, and conditions of their original charter,) to extend their said road from Edinburgh to Columbus, or to construct a road from any point on their main line between Shelbyville and Edinburgh to Columbus in Bartholomew county ;

Which amendment was adopted.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Buskirk introduced,

No. 335. A bill declaring the width of a certain street in the town of Bloomington ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Jackman introduced,

No. 336. A bill to amend the act entitled "An act to incorporate the Indiana and Brownstown Turnpike Company;"

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Blakemore, from a select committee, (on leave) made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition from sundry citizens of the counties of Howard, Cass and Miami, on the subject of a State road, have had the same under consideration, and have directed me to report the following bill and recommend its passage.

No. 337. A bill authorizing the location of a State road from the Michigan road near Carroll Postoffice in Carroll county, to Jonesborough in Grant court ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

The Speaker laid before the House the following communication from the Treasurer of State, in reply to a resolution of the House :

HON. GEO. W. CARR,

*Speaker of the House of Representatives:*

In answer to a resolution of the House, requesting the Auditor and Treasurer of State "to communicate to the House as early as possible, *when, by whom, and for what purposes, and for what reasons,* amounts have heretofore been drawn from the Treasury beyond the appropriations made by law, as shown by the Auditor's annual report made to this House at the present session," the undersigned replies :

That a full statement, setting forth the time *when* the overdrawn amounts stated in the annual report of the Auditor were drawn, and the names of the persons to whom paid, would require an abstract of nearly all the accounts from the books of this office from the commencement of the State government to the present era, and would be a work of much labor.

The purposes, on account of which those overdrawn amounts have been audited and paid, are the same as stated in the report, and may be thus explained. At each annual session of the General Assembly, the committee of ways make estimates of the amounts supposed to be sufficient to meet the expenditures which will fall due for the current year on the several accounts for payments to the Legislature, Judiciary, Executive, &c., and report a general appropriation bill agreeable to such estimates.

It seldom happens that the exact amount required for any one of the purposes can be guessed at in advance, and the general appropriations, therefore, always are more or less than the account for which the sums were set apart, and the difference between the sums appropriated in the several general appropriation acts from the commencement of the State government to the close of the fiscal year 1848, are what the Auditor shows in his report to be the sums overdrawn, and unexpended balance in the several accounts.

Thus, the committee of ways and means, last winter, estimated the amount that would be necessary to defray the expenses of the Legislature for the year ending 31st October, 1848, at the sum of \$30,000, and that sum was accordingly appropriated for legislative account. In consequence of the adjournment of the Legislature, and the extra expenses attending it, that account was increased, and amounted to \$34,234 35, being \$4,234 35 beyond the appropriation for that year; to which add \$2,775 75, the overdrawn amount for preceding years, gives the amount of \$7,010 10, as stated in the report.

It will be seen that the special allowances made by the Legislature at last session of \$222 08 to the Adjutant General, \$200 to the Quartermaster General, \$100 to the Secretary of State, and \$39 50 to Blacklidge, allowances in addition to the regular salaries of the Adjutant and Quartermaster Generals is the cause of that account overrunning the committee's estimate, otherwise it would have fallen below.

Those various accounts stated in the report, it is believed, have never been exactly balanced since the commencement of the State government. Appropriations have been annually made, and whether the sums thus appropriated exceeded or fell short of the expenditures, the sums necessary to pay the several accounts have always been audited and paid, and the accounts and vouchers examined and passed by the several committees at their annual examinations.

The executive officers have acted under the belief that the 1st article of the 13th chapter of the Revised Statutes, (to which article the House is very respectfully referred,) not only conferred the requisite authority but that it required the payment of all the accounts stated in the report at the times specified that the same became due: *Provided*, There remained any unappropriated funds in the Treasury; and I am not aware of the payment of any sum or sums.

Again:—The estimate of the committee on account of Prosecuting Attorney's salaries was \$1,000, and the amount required to pay those salaries, \$1,574 58, for the same year, being \$574 58 over the appropriation, and the amount overdrawn for previous years being \$424 67, makes the sum stated as overdrawn \$999 25.

To specify the name of each person to whom the sums named in the two accounts last named were paid, and the time when paid, would require a statement containing the names of all the General Assembly, their clerks, doorkeepers, &c. &c., and the names of all the Prosecuting Attorneys, which would make a volume.

The account of militia officers, and expenses, being less complicated, may be set out for the last year in full. This account appears in the Auditor's Report under the head of Aujutant and Quartermaster General, and for the year ending 31st October, 1848, is as follows:

|                                                                                   |           |          |
|-----------------------------------------------------------------------------------|-----------|----------|
| Warrants, Nos. 2190, 2576, 2991, and 3098, paid to Samuel Beck, salary            | - - - - - | \$100 00 |
| Warrants, Nos. 2666, 3111, 3106, and 3191, paid to David Reynolds, salary         | - - - - - | 100 00   |
| Warrant, No. 2542, David Reynolds, per Local Laws of 1848, page 293,              | - - - - - | 222 08   |
| Warrant, No. 2577, Samuel Beck, per Local Acts of 1848, page 293,                 | - - - - - | 200 00   |
| Warrant, No. 2687, Alvin Blackridge, special appropriation acts of 1848, page 51, | - - - - - | 30 50    |
| Warrant, No. 2544, John H. Thompson, Local Laws of 1848, page 297,                | - - - - - | 100 00   |
| For rent for armory, transporting arms, &c.,                                      | - - - - - | 110 03   |
| <br>Making a total expenditure of                                                 | - - - - - | \$862 61 |
| Amount of appropriation,                                                          | - - - - - | 500 00   |

|                                      |           |          |
|--------------------------------------|-----------|----------|
| Overdrawn for 1848,                  | - - - - - | \$362 6. |
| Amount overdrawn for previous years, | - - - - - | 625 13   |
| Total overdrawn,                     | - - - - - | \$987 74 |

of money from the Treasury without authority of law.

For further information, I beg leave to refer to the books of the office, and the vouchers on file, and permit me to observe that it will give me great pleasure to exhibit the same to any committee of the House, and to communicate all facts within my knowledge.

Very respectfully,

SAMUEL HANNAH, *Treasurer.*

On motion by Mr. Buskirk,  
The communication was laid on the table.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills and joint-resolutions of the House without amendment, to-wit:

No. 110. An act incorporating the Perrysville and Danville, and Perrysville and Georgetown Plank Road Company.

No. 146. An act to incorporate the Mt. Carmel and Harrison Turnpike Company.

No. 155. An act to prevent the sale of spirituous liquors in Dalton township Wayne county.

No. 156. An act to repeal a certain law therein named, so far as relates to the county of Elkhart.

No. 157. An act relative to the Seminary fund in Cass county.

No. 158. An act to locate a State road in the counties of Allen and DeKalb.

No. 162. An act to amend an act entitled, "an act to incorporate the Rushville and Lawrenceburg Railroad Company."

No. 164. An act to locate a State road in the counties of LaGrange and Elkhart.

No. 165. An act to prevent the poisoning of fish in the county of Greene.

No. 170. A joint-resolution relative to land selected by the State of Indiana for Canal purposes.

No. 172. An act for the relief of widows.

No. 175. A joint-resolution in relation to the Lafayette, Monticello, and Michigan City Railroad.

No. 178. An act repealing the several acts exempting soldiers of the Mexican war, from the payment of taxes.

No. 180. An act for the relief of Solomon May, Sr.

No. 182. An act to provide for the election of township assessors in the county of Scott.

No. 185. An act relative to the jurisdiction of Justices of the Peace in criminal cases.

No. 189. An act to amend an act entitled, "an act to incorporate the Henry county Turnpike Company, approved 5th Dec., 1848.

No. 220. An act for the relief of Andrew Shaw.

On motion by Mr. Johnston, of Putnam,  
The House adjourned.

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*2 o'clock, P. M.*

The House met.

A message from the Senate by Mr. Orth, a Senator :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof, to-wit.:

No. 139. An act for the relief of Wm. C. A. Bain, of Scott county;

In which the concurrence of the House is respectfully requested.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered,* That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Orth, a Senator :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate has this day, passed joint resolution of the House, No. 18, entitled "Joint Resolution on the subject of Slavery," with the following amendments, in which the concurrence of the House is respectfully requested.

Mr. Edmonston moved to lay the bill and amendments on the table.

The ayes and noes being demanded by Messrs. Morgan and Dougherty, of Morgan :

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Alexander, Brady, Buskirk, Caldwell, Campbell, Casselberry, Cravens, Dawson, Decker, Dougherty of Boone, Doyle, Edmonston, Ford, Hendricks, Hicks, Hill, Howell, Huckleberry, Hughes, James, Johnson of Dearborn, Jones of Bartholomew, Jones, of Huntington, Line, Lozier, Maddox, Mills, Nicholson, Odell, Osborn, Parker of Brown, Pierce, Place, Rice, Riley, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Snook, Thompson, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—50.

51  
*Those who voted in the negative are,*

Messrs. Allen, Blakemore, Bryant, Bundy, Cockrum, Commons, Cox, Donnouue, Dougherty of Morgan, Dowling, Dunn, Duvall, Edwards, Frazer, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Huddleston, Hunt, Jackman, Julian, Kelley, Kelso, Meacham, Meredith, Miller, Morgan, Orr, Parker of Allen, Rifner, Rousseau, Stanton, Starbuck Tuttle, Vance, Vawter, Wade, Webster, and Wilson

~~—41.~~ 42

So the bill and amendment was laid on the table.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate has passed an engrossed bill of the House, entitled "No. 104, an act amendatory of an act entitled "An act to incorporate the Michigan Road Company," approved Jan. 13, 1845, and an act entitled "An act to amend an act entitled an act to incorporate the Michigan Road Company," approved, Jan. 13, 1845, approved Jan. 19, 1846.

With amendments in which the concurrence of the House is respectfully requested.

Which amendment was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Rousseau, a Senator :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof,  
ro-wit.:

No. 117. An act for the relief of Martin Fitzpatrick ;  
In which the concurrence of the House is repectfully requested.

Which was read the first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Fazer moved to refer the bill to the committee on claims ;  
Which motion did not prevail.

Mr. Dobson moved to suspend the rules, and read the bill a third time.

The ayes and noes being demanded by Messrs. Bundy and Wolfe :

*Those who voted in the affirmative are,*

Messrs. Alden, Brady, Bryant, Buskirk, Campbell, Chambers, Cockrum, Cox, Cravens, Decker, Dobson, Dougherty of Boone, Dougherty of Morgan, Doyle, Drake, Dunn, Edmonston, Edwards, Ford, Gessie, Goodwin, Graham, Hankins, Hendricks, Howell, Huckleberry, Hughes, Jackman, James, Johnson of Dearborn, Jones, of Huntington, Julian, Kelley, Kelso, Line, Lozier, Meacham, Meredithe, Miller, Mills, Orr, Parker of Allen, Parker, of Brown, Pierce, Place, Riley, Rippey, Ross, of Wabash, Rousseau, Ryan, Shaw, Smith, Snook, Starbuck, Thompson, Tuttle, Vawter, Wade, Webster, Winstandley, Withers, Wood, Young, and Mr. Speaker—65.

*Those who voted in the negative are,*

Messrs. Alexander, Allen, Blakemore, Caldwell, Casselberry, Dawson, Donnohue, Frazer, Gillum, Hicks, Hill, Huddleston, Hunt, Johnston of Putnam, Jones of Bartholomew, Maddox, Morgan, Nicholson, Odell, Osborn, Rice, Rifner, Stanton, Vance, Wilson, and Wolfe—32.

So the rules were suspended, the bill was then read a third time and passed.

*Ordered,* That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof as follows, viz :

No. 106. An act to incorporate the Washington Fire Company No. 2.

No. 115. An act to incorporate the Fort Wayne and Southern Rail Road Company.

No. 147. An act to change the names of the towns of Columbia and Smithland, and for other purposes.

No. 146. An act to amend an act entitled, "an act to incorporate the town of Moorsville, in Morgan county," approved February 12,

1841, so as to require venders of spirituous liquors to obtain a license of the Board of Trustees.

No. 148. An act authorizing the county Auditors of Laporte and St. Joseph to make deeds in certain cases.

No. 150. An act for the relief of Robert Kennedy and Aaron Hartman.

No. 151. An act amendatory of the act incorporating the Junction Rail Road Company.

No. 153. An act to regulate the jurisdiction of justices of the peace in Jefferson and Rush counties.

No. 155. An act to change the name of John F. Brown, to that of John Floyd.

In which the concurrence of the House is respectfully requested.

Senate bill in the above message Nos. 107, 115, 147, and 146, were each read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Senate bill No. 148 was read a first time and passed to a second reading.

On motion,

The rules were suspended and bill read a second time,

On motion by Mr. Hunt,

The bill was amended by inserting "General Assembly," in the enacting clause.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Senate bills in the above message Nos. 150 and 151, were each read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Senate bill No. 153, was read a first time and passed to a second reading.

On motion,

The rules were suspdnded and the bill read a second time.

On motion by Mr. Starbuck,

The county of Union was added to the bill.

On motion by Mr. Vawter,

The county of Jennings was added to the bill.

On motion,

The rules were suspended and the bill read a third time and passed.

On motion by Mr. Starbuck,

The title of the bill was amended by adding the counties of Union and Jennings.

*Ordered,* That the Clerk inform the Senate thereof.

Senate bill No. 155 was read three several times, the rules having been suspended therefor, and passed.

*Ordered,* That the clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Assistant Secretary :

MR. SPEAKER :

I am directed to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 60. An act to provide for the taking the sense of qualified voters of this State on the calling of a Convention to alter, revise or amend the Constitution of this State.

No. 118. An act for the benefit of the Ohio and Indianapolis Rail Road Company, and changing the name and style of said company.

No. 129. An act to incorporate the Lawrenceburgh and Aurora Bridge Company.

In which the concurrence of the House is respectfully requested.

Senate bill No. 60 contained in the foregoing message, was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

On motion by Mr. Wolfe,

The bill was laid on the table.

Senate bill No. 118 contained in the foregoing message, was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Caldwell moved to amend by adding the following section:

Sec. — For the purpose of constructing said road, with all desirable appendages, and for putting and keeping the same in repair, and for doing all proper business thereon, said company are hereby authorized to enter upon, take and hold in fee simple, all real estate and materials desirable for that purpose, doing no unnecessary damage, and when such real estate or material cannot be had by donation or fair purchase, the owner may file his claims for damages in the office of the Secretary of the company, and select an arbitrator, whereupon the company shall select another, and these two a third, who shall be disinterested men ; and within a reasonable time, having been sworn, they shall proceed to examine the case and make

out and file their award in the premises with said Secretary, from which award either party may appeal to the circuit court of the county where the Secretary keeps his office, which appeal shall be in all things regulated and tried as appeals are from the judgment of a justice of the peace in this State, said Secretary being regarded as such justice in this behalf, and whenever any real estate is so taken, or is damaged, the arbitrator's court, or jury trying the case, shall estimate any and all advantages said road may be to the other real estate of the claimant adjacent or contiguous to that taken, or within one mile thereof, deduct such advantages from the damage done, and find the claimant the balance only, if any there be; if there be none, the claimants shall pay all costs, if damage be recovered the company shall pay the costs, and that all claims for damages shall cease, unless applied for in two years next after the property shall have been taken possession of by said company."

Mr. Drake moved to lay the amendment on the table.

Which motion did not prevail.

On motion by Mr. Ford,

The bill and pending amendment was referred to the committee on corporations.

Senate bill No. 129, contained in the foregoing message, was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit :

No. 123. An act to incorporate the Indiana Fire and Marine Insurance company ;

In which the concurrence of the House is respectfully requested.

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

On motion by Mr. Dowling,

The bill was referred to the committee on corporations.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

No. 157. An act to amend section 38, of chapter 19, of the Revised Statutes of 1843 and for other purposes, so far as relates to the county of Lawrence ;

No. 158. An act concerning the Lafayette and Indianapolis Railroad company ;

No. 171. An act to regulate the fees and emoluments of the auditor and treasurers of Lagrange and Steuben county ;

No. 174. An act to provide for the appointment of the overseers of the poor in Gibson county ;

No. 175. An act to repeal an act therein named relating to St. Joseph county ;

No. 177. An act to legalize certain proceedings in the Dearborn circuit court ;

No. 178. An act to reduce the expenses of the circuit court in the counties of Greene and Brown and for other purposes ;

No. 181. An act to change the mode of selecting grand jurors in the county of Orange ;

No. 183. An act authorizing the re-appraisement of certain school lands in Clinton county ;

In which the concurrence of the House is respectfully requested.

Senate bill No. 157, contained in the foregoing message,

Was read three several times the rules having been suspended therefor and passed.

*Ordered*, That the clerk inform the Senate thereof.

Senate bill No. 158, contained in the foregoing message,

Was read a first time and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

Senate bill No. 171, contained in the foregoing message,

Was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time,

Mr. Webster moved to amend the bill by inserting \$800 in lieu of \$700 in that part of the section fixing the compensation of the auditors.

Mr. Dawson moved to amend the amendment by excepting the county of Steuben.

Which was adopted.

The question then recurring on the amendment of Mr. Webster,

Was decided in the affirmative.

On motion,

The rules were suspended and the bill read a third time and passed.

*Crdered*, That the Clerk inform the Senate thereof.

Senate bills Nos. 174, 175, 177, 178, 181 and 183, in the foregoing message,

Were read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate adheres to its disagreement in the 2d amendment of the House, to the bill of the Senate No. 42, entitled,

An act defining the duties of county treasurers in the several counties therein named.

On motion by Mr. Dobson,  
The House receded from the amendment.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary:

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate have passed the following engrossed amendment thereof, to the engrossed bill of the House,

No. 44. An act authorizing the Recorders of Franklin and Switzerland counties, to make out a general index.

In which amendment the concurrence of the House is respectfully requested.

The question being on concurring in the amendment of the Senate, was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, as follows, to-wit :

No. 94. An act to enable the Whitewater Valley Canal Company to put said Canal in repair.

In which the concurrence of the House is respectfully requested.  
Which was read a first time and passed to a second reading.

On motion,  
The rules were suspended and the bill read a second time.

Mr. Barbour moved to refer the bill to the committee on Canals and Internal Improvements ;

Which motion did not prevail.

On motion by Mr. Edmonston,

The vote on referring the bill to the committee on Canals and Internal Improvements, was reconsidered.

The question then recurring on its reference to that committee, was decided in the affirmative.

On motion by Mr. Edmonston,

The House took up,

No. 332. A bill to incorporate the Rockville and Montezuma Plank Road Company.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Test their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill of the House,

No. 202. An act to amend an act entitled, "an act to incorporate the Terre Haute and Richmond Railroad Company, approved January 26, 1847," and an act amendatory thereto, approved February 16, 1848.

With amendments.

In which the concurrence of the House is respectfully requested.

Which amendments were concurred in by the House.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bills, and find them truly enrolled, to-wit:

No. 26. An act to authorize the Judge of the Probate Court of St. Joseph county, to grant and try writs of habeas corpus, and for other purposes.

No. 102. An act to regulate the time of holding Courts in the Fifth Judicial Circuit.

No. 197. An act to amend an act entitled, "an act authorizing the election of a Justice of the Peace and a Constable in the town of New Trenton, in the county of Franklin.

No. 233. An act levying a tax on the inhabitants of the town of Marion and the additions thereto, and upon persons owning real estate therein.

No. 240. An act authorizing the Auditor of Clinton county to make a deed in a certain case.

Whereupon the Speaker signed the same.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Morgan moved to take up,

No. 295. A bill in relation to a State road ;

Which motion prevailed.

On motion,

The rules were suspended, and the bill read a second and third times and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Buskirk moved to reconsider the vote on referring the memorial of Mathew McCampbell, administrator of the estate of Mary H. McPheeters, of Monroe county ;

Which motion prevailed.

The question then being on referring said memorial to the committee on the judiciary, it was decided in the negative.

On motion leave was given to Mr. Buskirk to withdraw the petition from the file of the House.

On motion by Mr. Hicks,

The House took up,

No. 283. A bill to incorporate the Knox Insurance Company ;

Which was read a second time, and

On motion by Mr. Winstandley,

Referred to the committee on corporations.

On motion by Mr. Hughs,

The House took up the message from the Senate containing Senate bill No. 197.

A message from the Senate by Mr. Test their secretary :

MR. SPEAKER .

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit :

(The above message contained bills of the Senate Nos. 99, 110, 142, 160, 176, 186, 191, 196, 197, 198, 199, 200, 201, 202, 204, 205, 207, 208, and 212.

No. 197. An act to repeal so much of an act entitled, "an act to encourage the raising of Sheep and Hogs, and to increase the revenue of the State and the wealth of the people," as relates to Jasper county ;

In which the concurrence of the House of Representatives is respectfully requested.

Which bill No. 179 entitled as above, was read three several times, the rules having been suspended therefor, and passed.

*Ordered,* That the clerk inform the Senate thereof.

On motion by Mr. Meredith,  
The House took up  
No. 168. A bill for the relief of John T. Custer ;  
Which was read a third time, and passed.

*Ordered,* That the Clerk inform the Senate thereof.

On motion by Mr. Edmonston,  
The House adjourned.

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THURSDAY MORNING, JAN. 11, 1849.

The House met.

On motion by Mr. Line,  
The reading of the journal was dispensed with.

On motion,  
The House granted leave to Messrs. Allen, Buskirk, Campbell, Donnohue, Harlan, Meacham, Nicholson, Meredith, Ross of Miami, Rousseau, and Stanton, to record their votes on laying on the table "No. 18, A joint resolution on the subject of slavery," and the amendments of the Senate.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment, to-wit :

No. 332 An act to incorporate the Rockville and Montezuma Plank Road company ;

No. 173. An act to locate a State road in the counties of Shelby and Rush.

A message from the Senate by Mr. Holloway, a Senator :

## MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment, to-wit:

No. 143. An act to amend "an act for the government of the Indiana Hospital for the Insane," approved February 15, 1848;

No. 244. An act to incorporate the American University.

Mr. Morgan moved to suspend the rules, and take up

No. 298. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock, of moneyed and stock corporations;

The ayes and noes being demanded by Messrs. Morgan and Ross of Miami,

*Those who voted in the affirmative are:*

Messrs. Alden, Allen, Alexander, Blakemore, Brady, Buskirk, Chambers, Donnohue, Dougherty of B., Dougherty of M., Dowling, Edwards, Gessie, Gillum, Goodwin, Graham, Harlan, Hicks, Howell, Hughes, Johnston of Putnam, Line, Maddox, Meacham, Meredith, Morgan, Nicholson, Orr, Osborn, Parker of Allen, Parker of Brown, Pierce, Place, Rice, Rifner, Ross of Miami, Rousseau, Stanton, Starbuck, Tuttle, Vawter, Wade, Webster, Winstandley, Wood, Young, and Mr. Speaker—47.

*Those who voted in the negative are:*

Messrs. Bryant, Bundy, Campbell, Casselberry, Cockrum, Cox, Decker, Doyle, Drake, Dunn, Edmonston, Frazer, Ford, Hankins, Hill, Huckleberry, Huddleston, Hunt, Jackman, Johnson of Dearborn, Jones of Bartholomew, Jones of Huntington, Julian, Kelley, Miller, Mills, Odell, Rippey, Ross of Wabash, Ryan, Smith, Vance, and Wilson—33.

There being less than two-thirds voting in the affirmative, the rules were not suspended.

On motion by Mr. Dunn,

The vote on suspending the rules and taking up the bill, was reconsidered.

The question then recurring on suspending the rules, was decided in the affirmative.

The bill was then taken up:

No. 298. A bill for the more effectual, just, and equal assessment of personal property, moneys, credits, and capital stock, of moneyed and stock corporations.

Mr. Frazer moved to strike out the first section;

Which motion did not prevail.

Mr. Maddox moved to strike out the word "annually" in the third line of the first section, and insert the word "biennially;" and in the fifth line of the said section, strike out the word "one," and insert the word "two" in its place;

Which amendment was not adopted.

Mr. Frazer moved to amend by adding the following to the first section :

*"Provided,* That the several county assessors now in office shall hold their offices until the expiration of the term for which they shall have been elected, and this section shall not take effect in any county until the expiration of the term of service of the present county assessor of such county."

Mr. Buskirk moved to amend the amendment by adding :

"That the present county assessors shall be governed by this act as far as the same may be applicable;"

Which amendment to the amendment was adopted.

The question recurring on the adoption of the amendment as amended, was decided in the affirmative.

Mr. Odell moved to amend the first section by striking out the "first Monday of April," and insert the "first Monday of March," and so amend as to change the time of holding the Spring elections to the first Monday of March.

Mr. Line moved to amend the amendment by striking out the "first Monday of March," and insert the "Spring township elections."

Which amendment to the amendment was accepted by Mr. Odell.

The amendment as amended was adopted.

Mr. Odell moved to amend the second section by adding after the word "said" in the third line, the word "first,"

Which was adopted.

Mr. Buskirk moved to strike out "twenty" in the 4th section and and insert "ten."

Which amendment was adopted.

Mr. Goldsberry moved to amend the 6th section by striking out "county seminary" and inserting "common school fund."

On motion by Mr. Parker of Allen,

The amendment was laid on the table.

Mr. Dunn moved to strike out "25th of May" in the 7th section, and insert "first of July."

On motion by Mr. Bundy,

The amendment was laid on the table.

Mr. Brady moved to reconsider the vote on laying the amendment of Mr. Dunn on the table.

Which motion did not prevail.

Mr. Line moved to strike out all of the seventh section to the word "call," in the second line, and insert the following :

The township Assessor shall annually after the first of January and before the 25th of May next, succeeding his election.

Which amendment was adopted.

Mr. Kelso moved to amend the 1st section by adding the following proviso :

*Provided*, That no election of township Assessors shall take place in any county until the annual spring township election preceding the expiration of the term of service of the present Assessor of said county;

Which was adopted.

On motion by Mr. Parker of Brown,

The vote was reconsidered on the amendment of Mr. Maddox, to the first section.

The question then recurring on the adoption of the amendment of Mr. Maddox,

Was decided in the affirmative.

Mr. Edmonston moved to strike out the 8th section.

The ayes and noes being demanded by Messrs. Edmonston and Kelso :

*Those who voted in the affirmative are,*

Messrs. Alexander, Caldwell, Campbell, Chambers, Cockrum, Cravens, Dawson, Drake, Edmonston, Ford, Hendricks, Hicks, Hughes, James, Kelley, Meacham, Mills, Osborn, Winstandley, Wolfe, and Withers—21.

*Those who voted in the negative are,*

Messrs. Barbour, Blakemore, Brady, Bryant, Bundy, Buskirk, Cox, Decker, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Dowling, Doyle, Dunn, Edwards, Frazer, Gessie, Gillum, Goodwin, Harlan, Hill, Howell, Huddleston, Hunt, Jackman, Johnson of Putnam, Jones of Bartholomew, Jones of Huntington, Julian, Kelso, Line, Lozier, Maddox, Meredith, Miller, Morgan, Nicholson, Odell, Orr, Parker of Allen, Parker of Brown, Pierce, Place, Rice, Rifner, Riley, Rippey, Ross of Miami, Ross of Wabash, Smith, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Wood, Young, and Mr. Speaker—63.

So the amendment did not prevail.

Mr. Dowling moved to strike out the thirteenth and fourteenth lines of the 8th section, and insert “farming utensils, mechanic’s tools, and law and medical books.”

Mr. Meredith moved to add “surgical instruments,”

Which motion prevailed.

The question recurring on the adoption of the amendment,

Was decided in the affirmative.

Mr. Frazer moved to amend the 1st line of the 8th section after the word “statement,” by inserting the following, “shall be made

out by the Assessor from the information given by the person and,"

Mr. Maddox moved to amend the amendment, by inserting in the first line of the 8th section after the word "it" and before the word "and," "and verified by his or her oath or affirmation."

On motion by Mr. Bundy,

The amendment to the amendment was laid on the table.

Mr. Riley moved to amend the amendment by adding after the word "Assessor" the following, "or by the person assessed;"

Which amendment to the amendment was accepted by Mr. Frazer.

The question then recurring on the adoption of the amendment, Was decided in the affirmative.

Mr. Wolfe moved to strike out the 18th line of the 8th section; Which amendment did not prevail.

Mr. Riley moved to amend the 8th section in the 18th line by inserting after the word "twelfth," the words "the value of all;"

Which was adopted.

Mr. Hicks moved to amend the 8th section by striking out of the 15th line, the words "and money at interest;"

Which was not adopted.

Mr. Frazer moved to amend the 15th line of the 8th section by adding the following, "in this State or elsewhere;"

Which was adopted.

Mr. Wolfe moved to amend the 21st line of the 8th section thus : "The value of land and improvements shall be assessed every five years as now."

On motion by Mr. Bundy,

The amendment was laid on the table.

Mr. Rice moved to strike out the 3d, 4th, 5th, 6th, and 7th lines in the 8th section, and insert the following :

First, the value of horses ;

Second, the value of cattle ;

Third, the value of sheep ;

Fourth, the value of hogs ;

Fifth, the value of mules.

Mr. Cravens moved to amend the amendment by striking out the work "number," wherever it occurs in the 8th section, and insert the word "value," and strike out "and the value," where it now occurs in those lines, so when amended it will read "value" instead of number.

On motion by Mr. Kelso,

The amendment and the amendment to the amendment were laid on the table.

Mr. Frazer moved to amend the 16th line of the 8th section by inserting before the word "solvent," the words "all other."

Which was adopted.

Mr. Frazer moved to amend the 19th line of the 8th section by inserting before the word "personal," the words "the value of."

Which was adopted.

Mr. Kelso moved to add to section 8, line 23, after the words "not enumerated," "except cabinets of natural history, scientific instruments, miscellaneous and school books, wearing apparel, fire arms, and military equipage.

Mr. Buskirk moved to amend the amendment by adding "and all other property exempt from taxation by law."

Which was adopted.

The question then recurring on the adoption of the amendment of Mr. Kelso, was decided in the affirmative.

Mr. Orr moved to amend the 21st line of the 8th section by adding "of not less than one year's standing at the time of said assessment."

Mr. Kelso moved to amend the amendment by striking out "not less than," and inserting "at least."

Which was adopted.

On motion by Mr. Bundy,

The amendment was laid on the table.

Mr. Carr moved to add in the 21st line in the 8th section, "within the last year."

Mr. Bundy moved to amend the amendment by adding "not previously assessed."

On motion by Mr. Morgan,

The amendment and the amendment to the amendment were laid on the table.

Mr. Blakemore moved to add the following proviso in the 8th section:

*"Provided, That the value of such articles as may come under the notice of the assessor, may not be stated by the person making the statement: And provided further, That if the assessor shall think the value of any article stated not a fair valuation, then he may value the same according to his judgment.*

Mr. Ford moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs Dougherty, of Morgan, and Dowling,

*Those who voted in the affirmative are,*

Messrs. Alden, Chambers, Cockrum, Cox, Dawson, Doyle, Huddleston, Kelley, Meacham, Mills, Ross of Wabash, Winstandley, and Wolfe—13.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Blakemore, Brady, Bryant, Bundy, Buskirk, Caldwell, Casselberry, Cravens, Decker, Dobson, Donnohue, Dougherty of Boone, Dougherty, of Morgan, Dowling, Drake, Dunn, Duvall, Edmonston, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Graham, Harlan, Hicks, Hill, Howell, Huckleberry, Hunt,

Jackman, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Julian, Kelso, Line, Lozier, Maddox, Meredith, Miller, Morgan, Nicholson, Odell, Orr, Osborn, Parker of Allen, Parker of Brown, Pierce, Place, Rice, Rifner, Riley, Rippey, Ross of Miami, Ryan, Smith, Starbuck, Thompson, Tuttle, Vance, Vawter, Webster, Wilson, Withers, Wood, Young and Mr. Speaker—73.

So the bill was not laid on the table.

Mr. Julian moved the previous question.

Mr. Edmonston moved that the House adjourn;

Which motion did not prevail.

The question then recurred on seconding the call for the previous question,

The ayes and noes being demanded by Messrs. Wolfe and Ford,

*Those who voted in the affirmative are,*

Messrs. Alden, Brady, Bryant, Bundy, Buskirk, Casselberry, Chambers, Cockrum, Decker, Donnohue, Dobson, Dougherty of Boone, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Edwards, Gessie, Goodwin, Harlan, Howell, Huddleston, Jackman, Johnson of Dearborn, Jones of Huntington, Julian, Kelso, Line, Lozier, Maddox, Meacham, Meredith, Morgan, Nicholson, Odell, Parker of Allen, Parker of Brown, Pierce, Rifner, Rippey, Ross of Miami, Ross of Wabash, Ryan, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Wood, Young and Mr. Speaker.—54.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Blakemore, Caldwell, Cox, Cravens, Dawson, Duvall, Edmonston, Frazer, Ford, Gillum, Graham, Hendricks, Hicks, Hill, Huckleberry, Hunt, James, Johnston of Putnam, Jones of Bartholomew, Kelley, Miller, Mills, Orr, Osborn, Place, Rice, Riley, Smith, Winstandley, Withers, and Wolfe—33.

So the previous question was seconded.

Mr. Wolfe moved that the House adjourn;

Which motion did not prevail.

The question being “Shall the main question be now put?” was decided in the affirmative.

The question then recurring on the main question, which was,

“Shall the bill be engrossed?”

The ayes and noes being demand by Messrs. Wolfe and Buskirk:

*Those who voted in the affirmative are:*

Messrs. Alden, Blakemore, Brady, Bryant, Buskirk, Casselberry, Chambers, Decker, Dobson, Donnohue, Dougherty of Boone, Dough-

erty of Morgan, Dowling, Doyle, Drake, Dunn, Edwards, Gessie, Goodwin, Harlan, Hill, Howell, Jackman, Johnson, of Dearborn, Johnston of Putnam, Jones of Huntington, Julian, Kelso, Line, Lozier, Maddox, Meredith, Morgan, Nicholson, Odell, Orr, Parker of Allen, Parker of Brown, Pierce, Place, Rice, Rippey, Ross of Miami, Ryan, Smith, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Wood, Young, and Mr. Speaker—56.

*Those who voted in the negative are :*

Messrs. Alexander, Barbour, Bundy, Caldwell, Cockrum, Cox, Cravens, Duvall, Edmonston, Frazer, Ford, Gillum, Graham, Hendricks, Hicks, Huckleberry, Huddleston, Hunt, James, Jones, of Bartholomew, Kelley, Meacham, Miller, Mills, Osborn, Rifner, Riley, Ross of Wabash, Winstandley, Withers, and Wolte—31.

So the bill was ordered to be engrossed.

On motion by Mr. Julian,

The rules were suspended and the bill read a third time.

Mr. Frazer moved to re-commit the bill to a select committee, with the following instructions :

Add the following section :

“Sec.—. The several assessors in making their assessments, shall, as near as may be, fix and preserve a just and equitable uniformity of rates, amongst the individuals of their respective townships.”

Mr. Wolfe offered the following instructions :

“Sec. 20. *Be it further enacted*, That the County Treasurer and County Auditor, in each county in this State, shall have power, and are hereby authorized to correct any erroneous assessments at any time before the tax shall have been paid, when such error shall be manifest to said officer; and it is hereby made their duty to make the necessary entry on their books.

Mr. Bundy moved to lay the motion to re-commit and the instructions on the table.

The ayes and noes being demanded by Messrs. Frazer and Wolfe,

*Those who voted in the affirmative are,*

Messrs. Alden, Barbour, Blakemore, Brady, Bryant, Bundy, Buskirk, Caldwell, Cox, Cravens, Decker, Dobson, Donnouhue, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Dunn, Edwards, Gessie, Goodwin, Harlan, Howell, Jackman, Johnston of Putnam, Julian, Kelso, Line, Lozier, Maddox, Meredith, Morgan, Nicholson, Odell, Parker of Allen, Parker of Brown, Place, Rice, Rifner, Riley, Rippey,

Ross of Miami, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Winstandley, Wood, Young and Mr. Speaker—74.

*Those who voted in the negative are,*

Messrs. Alexander, Cockrum, Dawson, Duvall, Edmonston, Frazer, Ford, Gillum, Graham, Hicks, Hill, Huckleberry, Huddleston, Hunt, James, Jones of Huntington, Kelley, Miller, Mills, Orr, Osborn, Pierce, Ross of Wabash, Smith, Withers, and Wolfe—26.

So the motion and instructions were laid on the table.

Mr. Edmonston moved to re-commit the bill to the committee on ways and means, with the following instructions :

Amend the 16th section, by striking out the word “fifty” and insert “six.”

Also to amend the same by adding the following :

“Each and every person subject to the payment of taxes, shall not be liable to the penalty of this section, if he or she cannot read and write in the English language.”

Mr. Hendricks moved that the House adjourn ;  
Which motion did not prevail.

Mr. Maddox moved that the House adjourn ;  
Which motion did not prevail,

Mr. Wolfe moved that the House adjourn ;  
Which motion did not prevail.

Mr. Barbour moved the previous question ;  
Which was seconded by the House.

The questions being, “Shall the main question be now put ?”  
Was decided in the affirmative.

The question then recurring on the main question, which was,  
“shall the bill pass?”

The ayes and noes being demanded by Messrs. Edmonston and Wolfe,

*Those who voted in the affirmative are,*

Messrs. Alden, Blakemore, Brady, Bryant, Bundy, Buskirk, Cas selberry, Dawson, Decker, Dobson, Donnohue, Dougherty, of Boone, Dougherty, of Morgan, Dowling, Drake, Dunn, Edwards, Gessie, Goodwin, Graham, Harlan, Hill, Howell, Jackman, Johnston, of Putnam, Jones, of Huntington, Julian, Kelso, Line, Lozier, Maddox, Meredith, Morgan, Nicholson, Odell, Orr, Parker, of Allen, Parker, of Brown, Pierce, Place, Rice, Riley, Ross, of Miami, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, Wood, Young, and Mr. Speaker—53.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Caldwell, Chambers, Cockrum, Cox, Cravens, Duvall, Edmonston, Frazer, Ford, Gillum, Hendricks, Hicks, Huckleberry, Huddleston, Hunt, James, Jones, of Bartholomew, Kelley, Miller, Mills, Osborn, Risner, Rippey, Ross, of Wabash, Smith, Winstandley, Withers, and Wolfe—30.

So the bill passed.

*Ordered,* That the Clerk inform the Senate thereof.

On motion by Mr. Line,  
The House adjourned.

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*Two o'clock, P. M.*

The House met.

Mr. Pierce moved to suspend the rules and take up bill of the House,

No. 250. A bill to incorporate the Elkhart and Michigan Railroad Company;

Which motion did not prevail.

#### ORDERS OF THE DAY.

*Senate Bills on Third reading.*

No. 8. A bill to incorporate the Richmond and Williamsburg Turnpike Company;

Was read a third time and passed.

*Ordered,* That the Clerk inform the Senate thereof.

No. 13. A bill to authorize the election of Township Assessors in the county of Jay;

Was read a third time and laid on the table.

No. 14. A bill to amend an act, entitled “An act creating the Tippecanoe Court of Common Pleas, and defining its jurisdiction;”

No. 16. A bill to amend the act incorporating the Harrison, New Trenton, Rochester, and Brookville Turnpike Company;

No. 18. A bill to incorporate the Laporte Iron Manufacturing Company;

Were each severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ross, of Wabash, moved to suspend the rules for the purpose of making a report.

Which motion did not prevail.

No. 24. A bill repealing a certain act therein named.

Mr. Ross, of Miami, moved to add the 8th judicial circuit.

Which was unanimously agreed to by the House.

The bill as amended was then read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 25. A bill to incorporate the Cross Plains and Laughery Turnpike Company;

No. 26. A joint resolution on the Independence of Liberia;

No. 30. A bill fixing the time of holding the several circuit courts in the eleventh judicial circuit;

No. 39. A bill to amend and extend section 60, of chapter 38, of the Revised Laws of 1843, so far as Jefferson county is concerned;

No. 47. A bill to incorporate the Lima Band;

No. 48. A bill authorizing the construction of Plank Roads;

No. 55. A bill to amend an act to incorporate the Fairfield Hydraulic Company;

No. 62. A bill to legalize the location of a certain State road therein named;

No. 64. A bill in relation to the highway tax of Lagrange county;

Were each severally read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 74. A bill to repeal section 3, chapter 28, of the Revised Statutes of 1843, in relation to contracts with Indians;

Mr. Ross, of Miami, moved to amend the first section by striking out all after the word "repealed," in the 4th line of said section.

Which motion prevailed.

The bill as amended was then read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 82. A bill to incorporate the Richmond Bridge and Turnpike Company;

Which was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

#### HOUSE BILLS ON THIRD READING.

No. 31. A bill to amend the 40th chapter of the Revised Statutes of 1843;

On motion by Mr. Rousseau,

The bill was laid on the table.

No. 95. A bill to incorporate the Central Plank Road Company;

Was read a third time.

Mr. Line moved to recommit the bill to a select committee, with the following instructions:

Sec. —. The legislature hereby reserves the right to regulate the tolls on said road, so that the net proceeds shall not exceed twelve per cent. and if the tolls shall exceed at any time twelve per cent. per annum, such excess shall be paid into the State treasury, to be disbursed for common school purposes, under the direction of the legislature; and it is hereby made the duty of the secretary of said road company to report under oath, of all the receipts and disbursements of said company to the legislature annually, on or before the first day of January.

Mr. Bundy moved to lay the motion and instructions on the table.

The ayes and noes being demanded by Messrs. Line and Wolfe,

*Those who voted in the affirmative are,*

Messrs. Alexander, Allen, Brady, Bryant, Bundy, Casselberry, Cox, Donnouhe, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Duvall, Gessie, Hendricks, Huddleston, Hunt, Johnston of Putnam, Julian, Kelso, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Rifner, Riley, Shaw, Stanton, Starbuck, Vance, Vawter, Wade, Webster and Wood—36.

*Those who voted in the negative are,*

Messrs. Alden, Barbour, Blakemore, Buskirk, Chambers, Cockrum, Cravens, Dawson, Decker, Dobson, Edmonston, Edwards, Frazer, Gillum, Goldsberry, Goodwin, Graham, Hicks, Hill, Howell, Huckleberry, Hughes, Jackman, James, Johnson of Dearborn, Jones of Bartholomew, Jones of Huntington, Kelley, Line, Lozier, Maddox, Orr, Osborn, Parker of Brown, Pierce, Place, Rice, Rippey, Ross of Miami, Ross of Wabash, Rousseau, Ryan, Smith, Spencer, Thompson, Tuttle, Wilson, Withers, Wolfe, Young and Mr. Speaker —51.

So the motion and instructions were not laid on the table.

Mr. Buskirk offered the following instructions:

“Sec. —. *And be it further enacted*, That in case the said company shall not have fully completed the said road according to the terms of this act, within the period of six years from the passage of this act, then, and in that case, the said road and all the rights hereby granted, together with all improvements made thereon, shall revert back to, and become the property of the State of Indiana.”

Mr. Drake moved the previous question ;  
Which was seconded by the House.

The question then being, "shall the main question be now put?"  
Was decided in the affirmative.

The question then recurring on the main question, which was  
"shall the bill pass?"

The ayes and noes being demanded by Messrs. Line and Kelso.

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Allen, Brady, Bryant, Bundy, Cockrum, Cox, Donnouhue, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Duvall, Frazer, Gessie, Hendricks, Howell, Huddleston, Hughes, Hunt, Johnson of Dearborn, Johnston of Putnam, Julian, Kelso, Lozier, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Parker of Allen, Place, Rifner, Riley, Ryan, Shaw, Stanton, Starbuck, Vance, Vawter, Wade, Webster, Winstandley and Wood  
—46.

*Those who voted in the negative are,*

Messrs. Barbour Blakemore, Buskirk, Caldwell, Casselberry, Chambers, Cravens, Dawson, Decker, Dobson, Dunn, Edmonston, Edwards, Ford, Gillum, Goldsberry, Goodwin, Graham, Hicks, Hill, Jackman, James, Jones of Bartholomew, Jones of Huntington, Kelley, Line, Maddox, Orr, Osborn, Parker of Brown, Pierce, Rice, Rippey, Ross of Miami, Ross of Wabash, Rousseau, Smith, Spencer, Thompson, Tuttle, Wilson, Withers, Wolfe, Young and Mr. Speaker  
—44.

So the bill passed.

*Ordered, That the Clerk inform the Senate thereof.*

No. 150. A bill to amend an act entitled "An act to lease the Indiana State Prison, and for other purposes," approved January 16, 1846.

Mr. Riley moved to recommit the bill to the committee on the affairs of the State Prison, with the following instructions :

"Sec. —. That for any violation of the laws now in force leasing the Indiana State Prison, by the lessee thereof, or any of the provisions of the same, he shall upon conviction be fined in any sum not less than five nor more than ten dollars for each offence ; *Provided*, That the same shall only be prosecuted on the inquest and findings of the Grand Jury, by presentment or indictment by them in the circuit court in the proper county ;

Which motion did not prevail.

The question being on the passage of the bill ;  
Was decided in the affirmative.

*Ordered, That the Clerk inform the Senate thereof.*

No. 167. A bill to increase and extend the benefits of common schools;

Was read a third time.

Mr. Hunt moved to recommit the bill to the committee on education, with instruction to amend as follows :

"1st. Strike out all that relates to the property tax and distribution by the county auditor and treasurer.

"2d. To provide that the district clerk of each school district shall furnish to the proper county auditor or clerk of the board doing county business, a list of all the white children between the ages of five and twenty-one years; and also all the taxable property in his district, together with the names of the owners, leaving therefrom all negroes and mulattoes, on or before the first Monday of \_\_\_\_.

"3d. To provide that the county auditor, or the clerk of the board doing county business, and treasurer, shall, on or before the \_\_\_\_\_ Monday of \_\_\_\_\_, ascertain the amount of available funds to be distributed to each congressional township in their county, and shall on that day make such assessment upon the property of each township as will, when added to the available school fund of said township, be equal to the sum of two dollars to each scholar therein; and the auditor and treasurer, in making such assessment, shall do it in the same manner as for State and county revenue, according to the regular appraisement thereof in the auditor's office, according to sections 65 and 66 of chapter 15 of the Revised Statutes of 1843.

"4th. That the congressional township fund, and the fund raised by taxation shall be paid to the proper township treasurer, on the order of the township trustees, and the other school funds shall be distributed as now required by law; and the several township trustees shall distribute the same according to the number of districts, and to the number of scholars therein."

Mr. Bryant moved the previous question.

Mr. Buskirk moved a call of the House;

Which motion prevailed.

After proceeding with the call,

Mr. Duvall moved that the absentees be sent for;

Which motion did not prevail.

Ninety members answered to a call of their names.

On motion by Mr. Julian,

A further call of the House was dispensed with.

The question being on seconding the previous question,

The ayes and noes being demanded by Messrs. Wolfe and Riley,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Bryant, Bundy, Caldwell, Casselberry, Cockrum, Cox, Dawson, Decker, Drake, Dunn, Gessie, Goldsberry,

Harlan, Hendricks, Howell, Huddleston, Hughes, Jackman, Johnson of Dearborn, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meredith, Mills, Odell, Parker of Allen, Pierce, Place, Rifner, Rippey, Ross of Miami, Ross of Wabash, Spencer, Stanton, Starbuck, Tuttle, Vance, Vawter, and Webster—44.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Blakemore, Brady, Buskirk, Chambers, Cravens, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Duvall, Edmonston, Edwards, Frazer, Ford, Gillum, Hicks, Hill, Hunt, James, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Meacham, Miller, Morgan, Nicholson, Orr, Osborn, Parker of Brown, Rice, Riley, Rousseau, Ryan, Shaw, Smith, Thompson, Wade, Wilson, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—47.

So the previous question was not seconded.

Mr. Ross of Miami moved to lay the motion and instructions on the table.

The ayes and noes being demanded by Messrs. Wolfe and Buskirk,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Barbour, Brady, Bryant, Bundy, Caldwell, Casselberry, Chambers, Cockrum, Cox, Dawson, Decker, Dowling, Drake, Dunn, Duvall, Frazer, Gessie, Gillum, Goldsberry, Harlan, Hendricks, Huckleberry, Huddleston, Jackman, James, Johnson of Dearborn, Jones of Bartholomew, Jones of Huntington, Julian, Kelso, Line, Lozier, Maddox, Meacham, Meredith, Mills, Odell, Parker of Allen, Pierce, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Spencer, Stanton, Starbuck, Vance, Vawter, Webster, Wilson, and Winstandley—55.

*Those who voted in the negative are,*

Messrs. Alexander, Blakemore, Buskirk, Cravens, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Edmonston, Edwards, Ford, Goodwin, Grahams, Hicks, Hill, Howell, Hughes, Hunt, Johnston of Putnam, Kelley, Miller, Morgan, Nicholson, Orr, Osborn, Parker of Brown, Place, Rice, Rifner, Riley, Thompson, Tuttle, Wade, Withers, Wolfe, Wood, Young, and Mr. Speaker—38.

So the motion and instructions were laid on the table.

Mr. Jones of Bartholomew moved to reconsider the vote.

The ayes and noes being demanded by Messrs. Ford and Maddox,

*Those who voted in the affirmative are,*

Messrs. Alexander, Blakemore, Brady, Buskirk, Chambers, Cox, Cravens, Dobson, Donnouue, Dougherty of Boone, Dougherty of Morgan, Dowling, Edmonston, Edwards, Ford, Gillum, Graham, Hicks, Hill, James, Johnston of Putnam, Jones of Bartholomew, Meacham, Miller, Morgan, Nicholson, Orr, Osborn, Parker of Brown, Rice, Rifner, Riley, Ryan, Shaw, Smith, Thompson, Wade, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—43.

*Those who voted in the negative are,*

Messrs. Alden, Allen, Barbour, Bryant, Bundy, Caldwell, Casselberry, Cockrum, Dawson, Decker, Drake, Dunn, Frazer, Gessie, Goldsberry, Goodwin, Harlan, Hendricks, Howell, Huckleberry, Huddleston, Hughes, Hunt, Jackman, Johnson of Dearborn, Jones of Huntington, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meredith, Mills, Odell, Parker of Allen, Pierce, Place, Rippey, Ross of Miami, Ross of Wabash, Spencer, Stanton, Starbuck, Tuttle, Vance, Vawter, Webster, and Wilson—49.

So the vote was not reconsidered.

Mr. Dougherty of Morgan moved that the House adjourn; Which motion did not prevail.

The question then recurring on the passage of the bill,

The ayes and noes being demaneed by Messrs. Ross of Miami and Parker of Allen,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Barbour, Blakemore, Brady, Bryant, Caldwell, Casselberry, Cockrum, Dawson, Decker, Drake, Dunn, Frazer, Gessie, Goldsberry, Graham, Harlan, Hendricks, Howell, Huckleberry, Hughes, Jackman, Johnson, of Dearborn, Jones, of Bartholomew, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meredith, Miller, Mills, Odell, Parker, of Allen, Pierce, Place, Rippey, Ross, of Miami, Ross, of Wabash, Smith, Spencer, Stanton, Starbuck, Tuttle, Vance, Vawter, and Webster—49.

*Those who voted in the negative are,*

Messrs. Alexander, Bundy, Buskirk, Chambers, Cox, Cravens, Dobson, Donnouue, Dougherty, of Boone, Dougherty, of Morgan, Dowling, Duvall, Edmonston, Edwards, Ford, Gillum, Goodwin, Hicks, Hill, Huddleston, Hunt, James, Johnston, of Putnam, Jones, of Huntington, Meacham, Morgan, Nicholson, Orr, Osborn, Parker, of Brown, Rice, Rifner, Riley, Shaw, Thompson, Wade, Wilson, Winstandley, Withers, Wolfe, Wood, Young, and Mr. Speaker—43.

So the bill passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Dobson moved to strike out the word "common," in the title of the bill and insert "county."

The ayes and noes being demanded by Messrs. Parker, of Brown, and Riley,

*Those who voted in the affirmative are,*

Messrs. Alexander, Buskirk, Chambers, Cravens, Dobson, Dougherty, of Boone, Dowling, Edmonston, Frazer, Ford, Gillum, Goodwin, Hicks, James, Johnson, of Putnam, Meacham, Morgan, Orr, Osborn, Parker, of Brown, Rice, Riley, Ryan, Shaw, Smith, Thompson, Withers, Wolfe, Wood, and Young—30.

*Those who voted in the negative are,*

Messrs. Alden, Allen, Barbour, Blakemore, Brady, Bryant, Bundy, Caldwell, Casselberry, Cockrum, Cox, Dawson, Decker, Donnouhe, Dougherty of Morgan, Drake, Dunn, Duvall, Edwards, Gessie, Goldsberry, Graham, Harlan, Hendricks, Hill, Howell, Huckelberry, Huddleston, Hughes, Hunt, Jackman, Johnson of Dearborn, Jones of Bartholomew, Jones of Huntington, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meredith, Miller, Mills, Nicholson, Odell, Parker, of Allen, Pierce, Place, Rifner, Rippey, Ross, of Miami, Ross, of Wabash, Spencer, Stanton, Starbuck, Tuttle, Vance, Vawter, Webster, Wilson, Winstandley, and Mr. Speaker—62.

So the title was not amended.

No. 205. A bill for the relief Bowen B. McFarland and Cephas and Henry McFarland, late of the United States Army in Mexico; Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 310. A bill concerning the funds arising from leasing the Indiana State Prison, and for other purposes;

Was read a third time and the question being on the passage of the bill, was decided in the negative.

Mr. Kelso, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred the petitions from citizens of Dearborn and Ohio counties, on the subject of straitening the line between said counties, have had the same under consideration and a majority have instructed me to report the following bill and recommend its passage :

No. 338. A bill to straighten the line between Ohio and Dearborn counties.

Which was read the first time and passed to a second reading.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report :

**MR. SPEAKER :**

The committee on enrolled bills, have compared the following bills and find them correctly enrolled, to-wit.:

No. 7. An act to amend an act, entitled "the College Corner and Liberty Turnpike Company, and the Liberty and Abington Turnpike Company;"

No. 38. An act to vacate part of a certain road in the county of Delaware;

No. 155. An act to prevent the sale of spirituous liquors in Dalton township, Wayne county;

No. 156. An act to repeal a certain law therein named, so far as relates to the county of Elkhart;

No. 157. An act relative to the seminary fund, in Cass county;

No. 165. An act to prevent the poisoning of fish, in the county of Greene;

No. 164. An act to locate a State road in the counties of LaGrange and Elkhart;

No. 178. An act repealing the several acts exempting soldiers of the Mexican war, from the payment of taxes;

No. 243. An act relative to roads and highways in Brown county;

No. 51. An act to authorize a company to construct the Milton and Aurora Turnpike Company;

No. 3. An act to incorporate the Williamsburgh and Centreville Turnpike Company;

No. 247. An act to authorize a Company to construct a Turnpike road from the point where the present State road leading from Oxford to Centreville, crosses the State line of Ohio and Indiana.

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Bundy, (on leave,) presented a petition of sundry citizens of Harrison township, Henry county, relative to selling spirituous liquors;

Which,

On motion by Mr. Bundy,

Was laid on the table.

Mr. Rippey, (on leave,) presented the petition of citizens of Elkhart county, in relation to the jurisdiction of justices of the peace;

Which,

On motion,

Was referred to a select committee, consisting of  
Messrs. Rippey, Pierce, and Starbuck.

On motion by Mr. Casselberry,

Messrs. Mills, Cravens, Thompson and Ross of Wabash, were  
added to the committee on enrolled bills.

On motion by Mr. Duvall,

The House adjourned.

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7 o'clock, P. M.

The House met.

Mr. Dowling moved to suspend the order of business to make a report from the committee on canals and internal improvements.

Which was decided in the negative.

On motion by Mr. Hunt,

Leave of absence was granted to the committee on benevolent and scientific institutions, this evening.

A message from the Senate by Mr. Test their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof to-wit:

No. 166. An act to amend "an act to incorporate the Madison and Napoleon Turnpike Company."

No. 170. An act to amend "an act in relation to the New Albany and Vincennes Road."

No. 192. An act to amend an act entitled "an act to incorporate the Mooresville Branch Rail Road Company."

No. 193. An act to amend an act entitled, "an act to incorporate the city of Richmond."

No. 194. An act for the relief of Enoch Rinehart of Carroll county.

In which the concurrence of the House is respectfully requested.

Senate bill,

No. 166, contained in the foregoing message,

Was read the first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.  
Mr. Dunn offered the following amendment:

Strike out the words "passed at the last session of the General Assembly ;"

Which was adopted.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill,

No. 170, contained in the message;

Was read the first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Blakemore offered the following amendment :

"If the same should be necessary."

Which was not adopted.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill,

No. 192, contained in the message,

Was read the first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Dougherty of Morgan, offered the following amendment:

*"Provided however*, That said work shall be commenced at Mooresville and prosecuted continuously from that place to the point of completion."

Which was adopted.

On motion,

The rules were suspended and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill,

No. 193, contained in the message ;

Was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill,

No. 194, contained in the message,  
Was read the first time and passed to a second reading.

On motion,

The rules were suspended, the bill read a second time,  
Mr. Parker of Brown moved to lay the bill on the table.  
Which motion did not prevail.

Mr. Huddleston moved to refer the bill to the committee on  
claims.

Which motion did not prevail.

The bill then was ordered to a third reading.

A message from the Senate, by Mr. Test, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House with the accompanying amendments thereto, to-wit

No. 49. An act relative to school funds in the county of Clark.

No. 82. An act to incorporate the town of Lamasco City, and define the powers of the President and Trustees thereof.

No. 103. An act to amend article 2, of chapter 35, of the Revised Statutes of 1843.

In which amendments the concurrence of the House of Representatives is respectfully requested.

The question being on concurring in the engrossed amendment of the Senate to the engrossed bill of the House No. 49, was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being on concurring in the engrossed amendment of the Senate, to engrossed bill of the House No. 82, was decided in the negative.

*Ordered*, That the Clerk inform the Senate thereof.

The question being on concurring in the engrossed amendment of the Senate to engrossed bill of the House No. 103,

Mr. Dowling moved to concur with the following amendment:

Amend section 2 by adding the following proviso :

*"Provided*, That it shall be lawful for such court in their discretion to grant a divorce waiving all objections in regard to time of separation, when, in the opinion of the court, such circumstances exist as to render the reconciliation of the parties hopeless.

Which motion prevailed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

No. 101. An act to authorize the president of the sinking fund committee to execute patents and deeds in certain cases.

No. 116. An act to incorporate the Winchester and Fort Wayne Railroad Company.

No. 144. An act to locate a State road in Jefferson and Ripley counties.

No. 184. An act to amend "an act for the relief of Victor A. Pepin, of Floyd county," approved Dec. 30, 1846.

No. 185. An act for the relief of Rachel Loyd, of Floyd county.

No. 187. An act to record the survey of a state road in Ripley county.

No. 188. An act to establish the salaries of the auditor and treasurers of Jay county, and recorder of Steuben county.

No. 190. An act extending the time of holding probate court in the county of Monroe.

In which the concurrence of the House is respectfully requested.

Were each read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Kelso,

The vote on the passage of bill No. 187, a bill to record the survey of a State road in Ripley county, was reconsidered.

Mr. Kelso offered the following amendment:

"Sec. 2. That hereafter in all cases commenced by supervisors of public roads and highways, before a justice of the peace, against any person or persons for any violation of sec's 121, 122, 123 and 124 of article six of chapter sixteen of the revised statutes of 1843, the defendant shall have the right in all cases where the same may have been taken to the circuit court by either party, to appeal or prosecute a writ of error, within the time now prescribed by law, to the supreme court from the judgment, order, or decree of any such circuit court, and the supreme court shall take cognizance of, and try and determine the same, as in other cases, without any regard to the amount of controversy."

Which was adopted.

The bill as amended was then read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

The following bills of the Senate, contained in a message heretofore taken up, came before the House for consideration:

No. 99. A bill for the relief of James D. Glass, deceased.

Was read three several times, the rules having been suspended therefor, and the question being on its passage, was decided in the negative.

Mr. Parker, of Allen, moved to reconsider the vote just taken ;  
Which motion prevailed.

On motion by Mr. Kelso,

The bill was laid on the table.

No. 110. A bill to establish a male and female institute in the city of Lawrenceburg, Dearborn county, Indiana.

No. 142. A bill amendatory of an act entitled "an act to incorporate the Lafayette and Danville Railroad Company.

Were each read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 160. A bill to incorporate the Indiana Council No. 1, of the United American Mechanics ;

Was read a first time.

On motion,

The rules were suspended and the bill read a second time.

Mr. Wolfe moved to amend by striking out one hundred thousand dollars, and insert twenty thousand ;

Which motion did not prevail.

No. 176. A bill to amend an act entitled "an act to provide for the construction of a rail way in LaPorte county," approved 11th February, 1843.

No. 186. An act supplementary to an act entitled "an act to incorporate the grand and subordinate divisions of the Sons of Temperance.

No. 191. A bill to incorporate the Madison Iron Manufacturing Company.

No. 196. A bill to authorize the county commissioners of Lake county to restrain hogs from running at large.

No. 198. A bill declaring certain laws relative to roads and highways to be in force in Lawrence county.

No. 199. A bill to incorporate the Williamsburg and Economy Turnpike Company.

No. 200. A bill to amend an act incorporating the Logansport and Rochester Michigan Road company.

Were each read three several times and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 201. A bill further to amend an act entitled "an act to incorporate the town of Columbus, Bartholomew county, Indiana," approved Feb. 6, 1839 ;

Was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Jones of Bartholomew offered the following amendment :

Sec. — If any property levied upon, and offered for sale for non-payment of taxes, shall not be sold for want of bidders, said marshal shall note that fact in his return, whereupon the clerk shall forthwith issue a further precept, as in the first instance provided, commanding said marshal to sell said property for the payment of said taxes, and to return such process with said taxes within thirty days thereafter, said marshal in making such sale and return, shall conform to the laws governing sales for taxes in the first instance, except as herein otherwise directed.

Which was adopted.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 202. A bill to dissolve the bands of matrimony between Robert B. Hardesty and Ellen Hardesty ;

Was read a first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time,

On motion by Mr. Drake,

The bill was laid on the table.

No. 204. A bill fixing the compensation and defining the duties of the prosecuting attorney of Hancock county ;

Was read a first and second time, the rules having been suspended therefor, and referred to a select committee consisting of Messrs. Riley, Julian and Caldwell.

No. 205. A bill to incorporate the Madison and Cross Plains Turnpike company ;

No. 207. A bill relative to Railroads ;

No. 208. A bill for the relief of certain laborers on the central canal for work done in 1847-8 ;

No. 212. A bill for the extension of Illinois street, in the city of Indianapolis ;

Were each read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Kelso,

Senate bill No. 99 was taken from the table.

Mr. Kelso offered the following amendment,

Amend the first section by adding thereto the following :

*Provided*, that the deeds inuring to the benefit of the heirs of any decedent as above provided, shall so inure subject to all the rights of the creditors of said decedent.

Which amendment was adopted.

The bill was read a third time and passed.

Mr. Dunn moved to amend the title so as to read, An act to amend the laws relating to the execution of deeds by order of the probate courts.

Which amendment was adopted.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed joint resolution thereof, to-wit :

No. 79. A joint resolution to provide for the enforcement of the State debt act and the act supplemental thereto.

In which the concurrence of the House is respectfully requested.

No. 79, contained in the foregoing message, was read the first time, and passed to the second reading.

On motion,

The rules were suspended and the joint resolution read a second time.

Mr. Ross of Miami moved to amend by inserting the following section :

Sec. 7. All prosecutions authorized to be instituted by the provisions of the joint resolution, shall be instituted in the county where the violations occur on which suit is brought, except however the case provided for in the first section of the resolution.

Also insert in the proper place in section 6 the word "roads."

Mr. Wolfe moved to amend the amendment as follows :

And it shall be duty of said court, to decide whether it would violate the contract between the bondholders and the State to construct a railroad from the town of Evansville to Terre Haute by a company.

Mr. Dobson moved to refer the bill and amendments to the committee on the judiciary ;

Which motion did not prevail.

On motion by Mr. Ford,

The amendment to the amendment was laid on the table.

The question being on the adoption of the amendment was decided in the affirmative.

Mr. Dowling moved to insert "Marion" in place of "Montgomery."

On motion by Mr. Bryant,

The amendment was laid on the table.

Mr. Bryant moved to suspend the rules, and read the joint resolution the third time.

The ayes and noes being demanded by Messrs. Dowling and Edwards.

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Barbour, Blakemore, Bryant, Bundy, Caldwell, Casselberry, Chambers, Cox, Cravens, Dawson, Decker, Dougherty, of Morgan, Doyle, Drake, Dunn, Frazer, Ford, Gillum, Gessie, Harlan, Hicks, Hill, Howell, Huddleston, Hughes, Jaekman, Johnson, of Dearborn, Jones, of Huntington, Julian, Kelley, Kelso, Meredith, Miller, Nicholson, Odell, Orr, Parker, of Allen, Pierce, Place, Rice, Risner, Riley, Rippey, Ross, of Miami, Ross, of Wabash, Ryan, Tuttle, Vance, Vawter, Wood, and Young.—53.

*Those who voted in the negative are,*

Messrs. Alexander, Brady, Buskirk, Cockrum, Dobson, Donnouue, Dougherty, of Boone, Dowling, Edwards, Goodwin, Huckleberry, James, Johnston, of Putnam, Jones, of Bartholomew, Line, Lozier, Maddox, Meacham, Morgan, Osborn, Parker, of Brown, Smith, Winstandley, Withers, Wolfe, and Mr. Speaker—26.

So the rules were suspended.

The joint resolution was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Barbour,  
The House took up,  
No. 306. A bill to legalize a certain deed therein named ;  
Which was read a second and third times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Pierce,  
The House took up,  
No. 250. A bill to incorporate the Elkhart and Michigan Railroad Company ;  
Which was read a second time.

Mr. Rippey moved to amend the bill by adding the following section :

“Sec. 7. As soon as one thousand shares are subscribed, the board of directors shall call a meeting of the stockholders at some suitable place at or near the village of Elkhart, in Elkhart county, of which due notice shall be given, and the said stockholders shall proceed to determine the route of said road from the village of Elkhart, in the county of Elkhart, eastward through said county, each share of stock being entitled to one vote, and said location, when so made, shall so remain unalterable ; but said vote shall not be so taken until a good and sufficient survey be made of the several pro-

posed routes, and the estimated costs of said routes shall have been made, unless the board of directors shall determine that the interest of the said company will be furthered by the vote being taken sooner."

Which amendment was adopted.

On motion,

The rules were suspended, the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Brady,  
The House adjourned.

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FRIDAY MORNING, JANUARY 12, 1849.

The House met.

On motion by Mr. Gillum,  
The reading of the journal was dispensed with.

PETITIONS &C. PRESENTED.

By Mr. Gillum,  
The "Temperance Memorial" of citizens of Orange county ;  
Which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Starbuck,

The "Temperance Memorial" of citizens of Union county ;  
Which,

On motion,

Was referred to the committee of one member from each judicial circuit on the same subject.

By Mr. Huddleston,

The "Temperance Memorial" of citizens of Rush county ;  
Which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Maddox

The "Temperance Memorial" of citizens of Fountain county ;  
Which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Wood,

The petition of colored citizens of Randolph county relative to common schools ;

Which,

On motion by Mr. Wood,

Was referred to the committee on education.

By Mr. Cockrum,

The "Temperance Memorial" of citizens of Gibson county ;

Which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Hicks,

The remonstrance of citizens of Johnson county, to a petition praying for the repeal of the law granting license for the sale of spirituous liquors ;

Which,

On motion,

Was referred to a select committee, consisting of,  
Messrs. Hicks, Brady, and Barbour.

On motion by Mr. Hicks,

The vote on referring the petition alluded to in the above named remonstrance, was reconsidered.

On motion by Mr. Hicks,

The petition was referred to the select committee, consisting of,  
Messrs. Hicks, Brady, and Barbour.

By Mr. Drake,

Sundry "Temperance Memorials" of citizens of Marion county ;  
Which,

On motion,

Were referred to the select committee of one member from each judicial circuit.

By Mr. Drake,

The petition of P. Barrett and T. K. Barrett, of Marion county, praying that Market street may be opened as originally designed ;

By Mr. Brady,

The petition of citizens of Indianapolis on the same subject ;  
Which,

On motion,

Were referred to a select committee, consisting of,  
Messrs. Drake, Brady, and Vance.

By Mr. Drake,

The communication of Robert B. Duncan, Clerk of the Marion

circuit, relative to costs in the case of the State of Indiana *vs.* The Morris Canal and Banking Company;

Which,

On motion,

Was referred to the committee on claims.

By Mr. Hill,

The petition of citizens of Clinton county, praying for the relocation of that part of a State road from Frankfort to Lebanon, which lies in Clinton county;

Also, a remonstrance on the same subject;

Which,

On motion,

Was referred to a select committee, consisting of, Messrs. Hill, Dawson, and Young.

By Mr. Ford,

The "Temperance Memorial" of E. D. Wort and others, citizens of Jackson county;

Which,

On motion,

Was referred to the select committee of one member from each judicial circuit on the same subject.

By Mr. Smith,

The petition of citizens of Scott county, praying for the repeal of a certain act;

Which,

On motion,

Was referred to a select committee consisting of, Messrs. Smith, Ford, and Cravens.

By Mr. Wade,

The remonstrance of John L. Parker and others, citizens of Hendricks county, against the exemption of Hendricks county from the operation of the school law about to be passed;

Which,

On motion,

Was referred to the committee on education.

By Mr. Julian,

The petition of John Allen and others, stockholders in the Richmond and Boston Turnpike Company;

Which,

On motion,

Was referred to a select committee consisting of, Messrs. Julian, Meredith, and Rousseau.

By Mr. Jones, of Bartholomew,

The petition of citizens of Columbus township, Bartholomew county, praying for a change in the license law, so as to place it in the hands of the County Commissioners to grant license, and to establish the amount to be established by the same.

By Mr. Barbour,

The remonstrance of the citizens of Bartholomew county, against granting the prayer of the above petition ;

On motion,

The above petition and remonstrance were referred to a select committee consisting of,

Messrs. Barbour, Jones of Bartholomew, and Hicks.

By Mr. Dawson,

The petition of James Perfect and 74 others, citizens of Steuben county, in regard to the publication of the delinquent list of said county ;

Whiich,

On motion,

Was referred to a select committee consisting of,

Messrs. Dawson, Rifner, and Edwards.

By Mr. Ryan,

The petition of citizens of Mt. Pleasant, Madison county, praying for the passage of a bill vacating that town ;

Which,

On motion,

Was referred to a select committee consisting of,

Messrs. Ryan, Vawter, and Kelso.

By Mr. Rippey,

The petition of citizens of Elkhart county, praying: 1st. A limitation of the quantity of land that any individual may *hereafter* acquire in this State, say to 160 acres. 2d. The exemption of a homestead of each family, not exceeding 160 acres, from alienation for any future debt or liability, or in any manner except by the joint consent of husband and wife, where such relation may exist;

Which,

On motion,

Was laid on the table.

By Mr. Harlan,

The petition of James Sweetser and others of the county of Grant, praying the charter of a Railroad therein named ,

Which,

On motion,

Was referred to a select committee consisting of,

Messrs. Harlan, Orr, and Ross of Miami.

Leave of absence was granted to Mr. Lozier, from Saturday to the close of the session.

The Speaker laid before the House the following communication from His Excellency the Governor, in reply to a resolution of the House :

EXECUTIVE DEPARTMENT,  
Indianapolis, January 12, 1849.

Hon. G. W. CARR,

*Speaker of the House of Representatives:*

Please lay before the body over which you have the honor to preside, the accompanying documents, in answer to a resolution of the House of 27th ultimo, asking for certain information therein named.

I have the honor to be yours, &c.,

Hon. G. W. CARR,

PARIS C. DUNNING.

*Speaker House of Representatives.*

*To the House of Representatives of the Indiana Legislature:*

GENTLEMEN: In answer to the resolution of your body, adopted December 27th, 1848, asking the Governor to communicate to the House, "the amount of money refunded to the State of Indiana by the Secretary of War, under a resolution of Congress, approved March 3d, 1847, entitled, 'A resolution to refund the money to the States which have supplied Volunteers, and furnished their transportation during the present war, before being mustered and received into the service of the United States,' and if any has been received, whether it has been repaid to the General Government; and that he also communicate the amount of money received by this State arising from deductions from the pay of Volunteers belonging to the 1st, 2d, and 3d Regiments of Indiana Volunteers, and what disposition has been made of the same,"

I have to state that upon inquiry of my predecessor, I learn that no money has been received by the State of Indiana, under the resolution of Congress above referred to, consequently none has been repaid to the General Government. I have made inquiry both of my predecessor and of the Adjutant General of the State, for information relative to the amount received by the State arising from the deductions of the pay of the 1st, 2d, and 3d Regiments of Indiana Volunteers, and as to the disposition of the same, and have received from them the information contained in the two accompanying documents, which I must be permitted to say do not afford a definite or satisfactory answer to the call of the House; they contain however, all the information upon the subjects named in the resolution which is to be found in this department.

I would respectfully recommend to your honorable body, (although at a late period of the session,) to pass a joint-resolution embracing the proposition contained in the communication of the Adjutant General, made to the undersigned on the 11th inst., and which is herewith transmitted.

In justice to Gov. Whitcomb I will add, that he informs me that it is yet his intention to furnish to the Executive of the State at an early period, a full and complete account of his proceedings in refer-

ence to the subject embraced in the resolution of inquiry, with a view of having the same placed permanently amongst the records of the country.

A press of other official duties, and an entire want of any data in my possession upon which to base an answer, have caused a delay in communicating this information.

Respectfully,  
PARIS C. DUNNING.

ADJUTANT GENERAL'S OFFICE, }  
Indianapolis, January 11, 1848. }

To PARIS C. DUNNING,  
*Governor of Indiana:*

SIR.—In reply to your request, to state what steps have been taken to procure the refunding to the State of Indiana from the United States, of the moneys paid out by the State and not collected back, in organizing, subsisting, and transporting the five regiments of Indiana volunteers for the war in Mexico, from their homes to their respective rendezvous, and money paid to various persons for subsistence, taking care of the sick volunteers, &c., I state that on the 6th day of November last, by authority of Governor Whitcomb, the undersigned made out an account from the laws of Indiana, by authority of which the moneys referred to were paid, and also including an account for the Adjutant General, for services in organizing the 4th and 5th regiments in 1847, including interest to the 31st August last on moneys paid out amounting in all to the sum of \$6,394 26, to be adjusted under a law of Congress, approved 2d day of June, 1848, and by letter from the 3d auditor's office, to whom said account was referred, dated September 13, was answered in substance that none of these claims could be allowed, unless accompanied with the proper vouchers from the persons paid by the State setting forth the items for which the moneys were paid, said letter being accompanied by extracts from rules and regulations from the Secretary of War, under which said vouchers had to be taken, and claims adjusted, and also showing the quantity and prices allowed for certain articles of subsistence, &c. Anxious to get said moneys back to the State Treasury, the undersigned, though no part of his official duty, went to New Albany and Jeffersonville on his own expense, and took vouchers for moneys paid to persons therefor, supplies furnished to the volunteers who rendezvoused there, and attention bestowed on such volunteers. But as most of the above moneys were paid out to persons living at various points in the State, and as it will require much labor and expense to procure the balance of said vouchers (or so many as it is now possible to procure), the undersigned would respectfully suggest the passage of a joint resolution authorizing the Governor to employ

some persons well acquainted with the whole subject, to procure so many of said vouchers as it is possible now to procure, and to settle with the United States, and to make compensation to the person thus employed for his services, and expenses out of the moneys thus refunded by the General Government.

Your ob't servant,  
D. REYNOLDS,  
*Adj't Gen'l.*

INDIANAPOLIS, IND., May 4th, 1847.

*Dear Sir.*—The approaching termination of the period of service of the brigade of Indiana volunteers raised last year for the war with Mexico, renders it proper that I should again call attention to the importance of securing from the payment to be hereafter made to such of them as are yet indebted for advances made for their clothing, subsistence, and transportation to the place of rendezvous, the amount of such advances, that this subject may be rightly understood, I shall be excused in again calling attention to its nature and origin.

Although the United States had made ample provisions for clothing, subsisting, and concentrating the volunteers, yet no payment could by law be made for either of those objects to any volunteer, until he should be inspected and mustered into the service of the United States at the place of rendezvous, for the reason that until then it could not be known who would be soldiers, and consequently entitled, under existing laws, to such payment.

In consequence of this regulation, you will doubtless recollect, in raising several of the companies in our State, for the want of necessary funds in advance to be applied to these objects, what the volunteers stood in need of, therefore, (as stated in my last annual message to the General Assembly of the State of Indiana,) was a friendly hand to *advance* to him, or the proper officer for his use, the amount of these necessary expenses, until on being accepted into the service of the United States, he should receive from the paymaster his due allowance for these expenses, out of which he would thus be enabled to replace the money advanced for his benefit. To meet this difficulty an arrangement was made by me with several branches of the State Bank, by which they agreed to advance means to aid in clothing, subsisting, and transporting the volunteers, and monies were therefore drawn and applied to these objects for the benefit of some 15 of the companies then known as follows. viz:—Mad Anthony Guards, Capt J. W. McLane; Wayne Guards, Capt. D. W. Lewis; Wabash Rangers, Capt. J. W. Wilson; Cass County Volunteers, Capt. S. S. Tipton (now commanded by Capt. S. Laselle); Wabash Invincibles, Capt. R. H. Milroy; Fountain Volunteers, Capt. R. M. Evans; Mountgomery Volunteers, Capt. (now Lieut. Colonel) H. S. Lane; Hendricks County Volunteers, Capt. (after-

wards Lieut. Colonel) C. C. Nave; Marion Volunteers, Capt. (now Colonel) J. P. Drake; Johnson Guards, Capt. D. Allen; Shelby Riflemen, Capt. C. Connor; Bartholomew Volunteers, Capt. J. S. Boardman; Dearborn Volunteers, Capt. (now Colonel) J. H. Lane; Washington Guards, Capt. W. Ford; Madison Rifles, Capt. T. L. Sullivan.

As the only payment made to the Indiana volunteers before their embarkation from our shores was for *clothing*, some of them declined to allow any deduction from that payment for any other object than clothing, but even these were understood to be willing for the deduction to be made from a subsequent and more appropriate payment. Other companies, it is but just to them to state, suffered the deduction from that payment to be made for all the moneys advanced for their benefit, viz:—The Shelby Riflemen, the Wabash Invincibles, the Montgomery Volunteers, the Bartholomew Volunteers, the Madison Riflemen, the Dearborn Volunteers. A part also was paid by the following companies, viz:—The Marion Volunteers, the Wabash Rangers, and the Washington Guards, while the whole amount advanced to the following companies yet remains unpaid, viz:—The Fountain Volunteers, the Johnson Guards, the Cass County Volunteers, the Hendricks County Volunteers, the Mad Anthony Guards, and the Wayne Guards. Pursuant to the published regulations, and the understanding above referred to, measures were early taken, through the Paymaster General, and by a letter addressed Brigadier General Lane, (of which you have doubtless been advised) to have the moneys yet due from some of the companies retained from a subsequent and appropriate payment, towards which the co-operation of the Paymaster General was also promised.

By different letters received from officers of the volunteers, it is plainly inferable that the subject of my letter to Gen. Lane was brought to the notice of the officers, whose province it was to take the necessary steps in the matter. In particular, I have been informed by a letter from Capt. Lasselle, of the Cass county volunteers, in your Regiment, that the paymaster had said, that if the amount due from that company *were placed in the muster roll*, he would withhold it; this shows that the paymaster had been instructed in the line of his duty, and was ready to perform it. All that was wanting was, that the amount due from each indebted company, *should be placed on the muster roll*. Capt. Lasselle proceeds to say, that on the 31st of October last, he requested of the mustering officer, Lt. Col. Nave, that the claim of the State should be placed on the muster roll, but that Col. Nave's reply was, that he could not act upon it unless the claim was *properly authenticated*, and some person authorized by the State to attend to it. Capt. Lasselle proceeds to inform me, "that it would be well to empower Col. Drake, or some other person to attend to the claim," and that he has now in his possession \$28 65, paid to him by the members of his company who have been discharged, and that Maj. Colquitt, the pay-

master, has retained in his hands from two of the same company who have been discharged \$20 52, for which it will be necessary that the State authorize some one to draw. Upon this I have to remark, first, that the "claim" contained in the papers and accounts, which I had then forwarded to Gen. Lane, in relation to this matter were considered as properly authenticated, and secondly, that it was unnecessary that "some person authorized by the State" should be appointed to have the moneys retained by the paymaster, because from Capt. Lasselle's letter, it is seen that the money due from *two* of his company, was retained by the paymaster on that claim as being "properly authenticated" and that too, although no agent had been appointed, unless my letter requesting Gen. Lane, to have the payments deducted made him one. An agent, indeed, to receive the money was entirely unnecessary, because the arrangement made was, that the moneys retained in the hands of the paymaster, should afterwards be remitted in a draft to the proper functionary of the State, by an officer of the appropriate department of the United States; this course too, would be attended with less trouble to individuals, and less risk to the public. I have already remarked that one-half of our companies received no assistance whatever from the State, and they consequently were obliged by other means to procure necessaries, which were furnished the indebted companies by the State. Only one of these companies requested assistance, and that request was subsequently withdrawn. It has been seen that several of the companies promptly paid off the full amount of their debt, and at some inconvenience to themselves *before they left Indiana*, while others paid a part. It is plain then, if the companies yet indebted are disbanded without making payment, they really will have received just so much more pay than their brethren in arms, and I can not doubt but that promptly and generously aided as they were, when they needed assistance, and indulged as they have been since, as to time, they are at least as anxious to pay their debts, as were their brethren, who have discharged theirs, and indeed it is but justice to them to add that it would seem from Capt. Laselle's letter that nothing was wanting to insure the debt being retained and paid except the placing it *upon the muster roll* of the respective companies. Although from what I have stated, I can not regard any further direction on my part in this matter as strictly necessary, yet to obviate all doubt, and all further difficulty, you are hereby authorized in behalf of the State of Indiana, as fully and as far as I have power to give such authority, to attend to the placing or procuring to be placed upon the muster roll of each indebted company the amount of its debt, to have the same retained out of any payment hereafter made to such company, by any United States Paymaster, and unless such paymaster will consent to remit to me the amount so retained, then, and in that case, to receive and receipt for the same yourself, and the proceeds thereof to pay to the Treasurer of Indiana, or with such proceeds to buy a draft for the amount, from a solvent source, on the Branch Bank in this place in

favor of such Treasurer, and remit the same to him. And I also hereby give you the same authority to receive and receipt for the moneys already referred to as being retained in the hands of Paymaster Colquitt, and in the hands of Capt. Lasselle, and make the same disposition thereof.

To enable you to carry out this request, I again enclose you copies of the accounts against the indebted companies, which from *personal comparison* I certify to be correct and perfect. As the original accounts were made up by Major Morrison, he will no doubt give any explanation that may be desired, though I cannot regard it as necessary. It was from accounts similarly kept and arranged by the same officer, and in the same book from which the enclosed are copied, that the payments in full and in part, were made as before stated by certain companies before the volunteers left Indiana. I cannot believe that the members of the companies yet indebted, need, or will ask, for any different authentication; the companies are doubtless reduced in numbers, but still no volunteer ought to be required to pay more than his original share of the debt of his company, small in number as his company may now be. And if objection is made by any one or more of the volunteers to any one or more of the items, that should be no reason against their paying the balance. But I am desirous that the question shall be submitted to the indebted volunteers, whether they will, *as the others have done*, pay off the amount advanced to them. I cannot doubt what their answer will be. I think, indeed, they only want an *opportunity* given them to discharge the debt, by calculating the amount due from each man and placing it upon the muster roll. The question is not whether the debt due is equal to the labors, risks, and privations of the volunteer. If the volunteer deserves to receive, in addition to his present pay, double the amount of the debt he owes, it is not in my power, as a mere executive officer, to give it to him. It is only competent for the legislative power to do that; and even if it were given to him, it would only cause the non-indebted volunteer, who procured his clothing, subsistence, &c., from his own pocket to repine at the inequality of his lot. No accounts are enclosed against the Mad Anthony Guards and the Wayne Guards, for the reason that the money paid out for their benefit was not disbursed through an agent of my appointment; the sum advanced by the Fort Wayne Branch and expended for their benefit, however, was \$1,300; the Captains of those companies will be able to apportion it properly. If Capt. Lewis yet, as at New Albany, insists that his company should not pay the whole amount there charged against it, I cannot believe that he will view that as exonerating his company from the payment of the balance, i. e., from the payment of *something*. To avoid all objections I enclose *sworn copies* of the accounts with the indebted companies, which were kept by Major Morrison, as Commissary of Subsistence, and the same is now authenticated under the seal of the State. Enclosed you will also find your appointment as agent under the seal of the State.

As before remarked, I cannot regard this second communication on my part as strictly necessary, believing the first one to Gen. Lane is sufficient for the object, but in accordance with the suggestion of Capt. Lasselle, and obviate every possible objection, I now make it before the final payment and disbanding of the troops.

I am, very respectfully,

Your obedient servant,

JAMES WHITCOMB.

To COL. J. P. DRAKE,

*First Reg't Ind. Vols., via Matamoras, Mexico.*

On motion by Mr. Brady,

The communication and accompanying papers, were referred to the committee on military affairs.

Mr. Winstandley, from the committee on ways and means, made the following report:

MR. SPEAKER :

The committee of ways and means, to whom was referred bill No. 261, entitled "an act to provide for the speedy completion of the Indiana Hospital for the Insane," have had the same under consideration, and directed me to report the bill back without amendment, and recommend its passage.

Which was ordered to be engrossed.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Julian; from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to which was referred the petition of Benjamin F. Brough, have had the same under consideration, and have directed me to report that in their opinion, it is inexpedient to legislate on the subject, and they ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Dunn, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the bill of

the House, No. 266, have had said bill under consideration, and have directed me to report the same back to the House, with an amendment, and upon the adoption of said amendment, the committee respectfully recommend the passage of the bill.

No. 266. A bill to amend article 13, chapter 40, of the Revised Statutes of 1843;

Strike out the second section, and substitute therefor, the following.

Sec. 2. That all laws and parts of laws conflicting with the provisions of this act, are, so far as they conflict with the same, hereby repealed.

Which amendment was concurred in.

The bill, as amended, was ordered to be engrossed.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Dunn, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to which was referred bill of the House, No. 21, have had the same under consideration, and have directed me to report the same back without amendment, and recommend its passage.

No. 21. A bill to authorize the Board of County Commissioners of the several counties of this State, to employ physicians for the poor.

Which was read a second time, and ordered to be engrossed.

Mr. Odell moved to suspend the rules, and read the bill a third time.

The ayes and noes being demanded by Messrs. Wolfe and Rice :

*Those who voted in the affirmative are,*

Messrs. Allen, Barbour, Blakemore, Bryant, Bundy, Buskirk, Caldwell, Cockrum, Cox, Cravens, Decker, Dougherty of Boone, Dougherty of Morgan, Doyle, Drake, Dunn, Duvall, Edwards, Frazer, Gessie, Gillum, Goldsberry, Goodwin, Hankins, Harlan, Hendricks, Huckleberry, Huddleston, Hughes, Jackman, Jones of Bartholomew, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Odell, Parker of Allen, Parker of Brown, Pierce, Risner, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Snook, Stanton, Starbuck, Tuttle, Vawter, Wade, Webster, Wilson, Winstanley and Young—57.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Dawson, Dobson, Donnohue, Edmonston, Ford, Hicks, Hill, Howell, James, Johnston of Dearborn, Johnson of Putnam, Jones of Huntington, Julian, Kelley, Line, Maddox, Orr, Osborn, Place, Rice, Riley, Rippey, Spencer, Thompson, Vance, Withers, Wolfe, Wood and Mr. Speaker—31.

There being less than two thirds voting in the affirmative, the rules were not suspended.

Mr. Dunn, from the committee on the judiciary, made the following report:

MR. SPEAKER :

The judiciary committee to whom was referred bill of the House No. 311, have had the same under consideration, and have directed me to report that the committee recommend the following amendment to said bill, and that said bill if so amended be passed.

No. 311. A bill to amend the 209th section, of chapter 30, of the Revised Statutes of 1843.

Amend the first section by adding thereto,

And that the same has been duly proved and allowed by the probate court in which the settlement of such estate shall have been made.

Which amendment was concurred in.

The bill as amended was ordered to be engrossed.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered, That the Clerk inform the Senate thereof.*

Mr. Barbour, chairman of the committee on the judiciary, made the following report:

MR. SPEAKER :

The judiciary committee to whom was referred several resolutions of enquiry on the subject of the execution or appraisement laws, report, that while a<sup>g</sup> majority are in favor of some modification of those laws, they have hitherto been unable to prepare a bill to meet the views of a majority, and it is now too late to fully mature and pass a bill of so much importance; they therefore ask to be discharged from any further consideration of that subject;

Which was concurred in.

Mr. Barbour, chairman of the committee on the judiciary, made the following report:

MR. SPEAKER :

The judiciary committee to whom was referred the petition of sundry citizens of Union county on the subject of the "black laws" (so called,) have instructed me to report that they deem it inexpedient to remove any of the legal disabilities of our colored population at present, and they ask to be discharged.

Which was concurred in.

Mr. Maddox, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred bill of the House No. 316, entitled, "an act supplemental to the 14th article of the 47th chapter of the Revised Statutes of 1843," have had the same under consideration, and have instructed me to report that in their opinion it is inexpedient to make any change in the law referred to, and respectfully recommend the indefinite postponement of the bill. And the committee ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Bryant, chairman of the committee on education, made the following report :

MR. SPEAKER :

The committee on education to which was referred the petition of sundry citizens of Randolph county, has had the same under consideration, and has instructed me to report the accompanying bill and recommend its passage.

No. 339. A bill to amend an act for the relief of Carey S. Goodrich, approved January 27, 1847;

Was read three several times, the rules having been suspended therefor, and passed.

*Ordered, That the clerk inform the Senate thereof.*

Mr. Drake, chairman of the committee on military affairs, made the following report :

MR. SPEAKER :

The committee on military affairs to whom was referred bill of the House No. 114, "a bill to compensate the Adjutant General for organizing the 4th and 5th Regiments of Indiana Volunteers, in the year 1847, have had the same under consideration, and a majority

have directed me to report the same back to the House, and respectfully recommend its passage; and ask to be discharged from the further consideration of the same.

Mr. Dowling moved to amend the bill by inserting "Treasury" after the word "State" in the second line of the second section.

Mr. Kelso moved to insert the following proviso:

*Provided*, That before said Adjutant General shall receive any of this appropriation, except three hundred dollars, he shall give a bond in the penalty of one thousand dollars with good security, payable to the State, that he will refund all of this appropriation, except the three hundred dollars to the State Treasury, unless the General Government shall, within two years from the passage of this act, refund the same.

The ayes and noes being demanded by Messrs. Kelso and Parker of Allen.

*Those who voted in the affirmative are,*

Messrs. Allen, Blakemore, Brady, Bundy, Caldwell, Cockrum, Cox, Cravens, Donnohue, Dougherty of Morgan, Dunn, Duvall, Frazer, Ford, Gessie, Gillum, Goodwin, Graham, Hankins, Hicks, Huddleston, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Odell, Orr, Parker of Allen, Place, Rifner, Ross of Wabash, Ryan, Snook, Stanton, Starbuck, Tuttle, Vance, Vawter, Webster, Wilson and Wolfe

—54.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Barbour, Buskirk, Chambers, Dawson, Decker, Dobson, Dougherty of Boone, Dowling, Doyle, Drake, Edmonston, Edwards, Goldsberry, Harlan, Hill, Howell, Huckleberry, Hughes, James, Jones of Huntington, Osborn, Parker of Brown, Riley, Rippey, Ross of Miami, Rousseau, Smith, Withers, Wood, Young and Mr. Speaker—33.

So the amendment was adopted.

On motion by Mr. Brady,

The rules were suspended, and the bill read a third time.

The question then recurring on the passage of the bill.

The ayes and noes being demanded by Mr. Johnston of Putnam and Meacham.

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Allen, Barbour, Brady, Bundy, Caldwell, Casselberry, Chambers, Cockrum, Cravens, Dawson, Decker,

Dougherty of Boone, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Edmonston, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Hughes, Hunt, Jackman, Johnson of Dearborn, Jones of Bartholomew, Jones of Huntington, Kelley, Kelso, Lozier, Maddox, Meredith, Mills, Miller, Nicholson, Odell, Orr, Parker of Allen, Pierce, Place, Rice, Rifner, Rippey, Ross of Miami, Ross of Wabash, Shaw, Snook, Spencer, Starbuck, Thompson, Tuttle, Vawter, Wade, Webster, Wilson, Winstandley, Withers, Wolfe, and Young—73.

*Those who voted in the negative are,*

Messrs. Blakemore, Buskirk, Cox, Dobson, Donnohue, Duvall, Huddleston, Johnson of Putnam, Julian, Line, Meacham, Miller, Morgan, Parker of Brown, Riley, Rousseau, Smith, Stanton, Vance, and Mr. Speaker—20.

So the bill passed.

Mr. Fazer offered the following preamble, as an amendment to the title :

"Whereas, David Reynolds, Adjutant General, was engaged four months and twenty days in the organization of the 4th and 5th regiments of Indiana Volunteers, he being the only State officer with said regiments—and said services being necessary—and

Whereas, It is doubtful whether the General Government will allow to said Adjutant General any compensation for said services, and

Whereas, If the General Government refuse, the State of Indiana is willing to pay from her own Treasury, some compensation for said services."

On motion by Mr. Edmondston,

The amendment was laid on the table.

*Ordered*, That the Clerk inform the Senate of the passage of the bill.

The Speaker laid before the House the following communication from the Secretary of the Board of Trustees of the Institute for the Education of the Blind :

FRIDAY MORNING, Jan. 12, 1849.

*To the Speaker of the House of Representatives:*

Sir :—Please to communicate this or a request from the Trustees of the Institute for the Blind, to the House of Representatives and officers to attend the exhibition of the Blind, this evening, at half past 7 o'clock, in the Hall of the House ; and as this exhibition

is particularly designed for the members of the Legislature, it is requested that the door-keeper of the House be directed *strictly to confine* the admission this evening, to the members and such strangers in the city as members may bring with them, to public officers of State, Trustees and officers of the Benevolent Institutions, Clergymen, Teachers, and Editors.

A public exhibition will hereafter be given to the citizens and public.

Very respectfully,

In behalf the Trustees,

JAMES M. RAY, *Secretary.*

The Speaker laid before the House the following communication from the Secretary of State :

INDIANAPOLIS, Jan. 11, 1849.

*To the Speaker of the House of Representatives,*

*Of the General Assembly of the State of Indiana:*

SIR :—Permit me through you, to make known to the honorable body over which you preside, that, in consequence of much the largest portion of the five or six hundred acts and joint resolutions of the present session, having to pass within four or five days of the close of the session, it will be utterly impossible for me, with the very limited means at my disposal for that purpose, to have the enrolling completed, by the time fixed for its adjournment. At the last session, owing to the greater portion of the bills, &c., having, in like manner, passed within a few days of the close thereof, seeing the case as it existed, I was authorized to employ a sufficient number of enrolling clerks, to have the enrolling completed; and to enable me to do so, the sum of two hundred and eighty dollars in addition to the sum now allowed, was appropriated, and by expending that sum, and about fifty or sixty dollars of my own funds, I was enabled to have the enrolling completed in due time. I would therefore, respectfully suggest to the House of Representatives, the entire justice and propriety, again of authorizing me to employ a competent number of enrolling clerks to have the business completed, and of allowing a reasonable compensation therefor.

Yours, with sentiments of consideration and esteem,

JOHN H. THOMPSON,  
*Secretary of State.*

Mr. Harlan, (on leave,) offered the following resolution :

*Resolved*, That the committee of ways and means be instructed to insert in the specific appropriation bill, an allowance for extra enrolling clerk hire, at the present session of the General Assembly.

Mr. Dobson moved to amend the resolution by adding the following proviso :

*"Provided, however, That the said Secretary of State shall give bond that he will pay back the same, if it is not actually necessary to use the same for said purposes ;"*

Which was not adopted.

Mr. Rousseau moved to fill the blank with "two hundred and eighty dollars ;"

Which was adopted.

The question being on the adoption of the resolution,

The ayes and noes being demanded by Messrs. Wolfe and Goldsberry,

*Those who voted in the affirmative are,*

Messrs. Allen, Barbour, Blakemore, Brady, Bryant, Bundy, Buskirk, Casselberry, Chambers, Cockrum, Cox, Cravens, Dawson, Decker, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Duvall, Edmonston, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Hendricks, Hicks, Hill, Huckleberry, Huddleston, Hunt, Jackman, James, Jones of Bartholomew, Jones of Huntington, Julian, Kelso, Line, Lozier, Maddox, Meacham, Meredith, Miller, Mills, Nicholson, Orr, Parker of Allen, Pierce, Place, Rice, Risner, Ross of Miami, Ross of Wabash, Rousseau, Ryan, Shaw, Smith, Snook, Spencer, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Winstandley, and Wood—75.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Dobson, Donnouhe, Dougherty of B., Goldsberry, Howell, Hughes, Johnston of Putnam, Kelley, Morgan, Odell, Osborn, Parker of Brown, Riley, Rippey, Withers, Wolfe, Young, and Mr. Speaker—20.

So the resolution was adopted.

Mr. Vawter, from a select committee, on leave, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Jefferson and Jennings counties, praying a charter for a railroad from Paris, in Jennings county, to Dupont in Jefferson county, have had the same under consideration, and directed me to report the following bill and recommend its passage.

No. 340. A bill to incorporate the Paris and Dupont Railroad company ;

Was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Buskirk, on leave, introduced

No. 341. A bill authorizing the removal of obstructions in Salt creek in Monroe county;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Hendricks, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of John Campbell and others, of Shelby county, have had the same under consideration, and have instructed me to report the accompanying bill and respectfully recommend its passage.

No. 342. A bill to repeal an act approved February 12, 1848;

Was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ross of Miami moved that the House adjourn ;

Which motion did not prevail.

On motion by Mr. Parker of Allen,

The House took up bill of the Senate

No. 120. A bill to incorporate the Fort Wayne and Bluffton Turnpike company.

Mr. Parker of Allen moved to strike out from the enacting clause and insert the following :

"That Allen Hamilton, G. Ewing, Pliny Hcagland, Peter P. Bailey, Joseph R. Edgerton, Asa Tanfield, and Samuel Edsall, of Allen county, William H. Parmlee, Levi Young, Joseph Logan, John Studabaker, and Adnah Hall, of Wells county, and their successors in office, duly elected as hereinafter directed, are hereby constituted and appointed a body politic and corporate, and, by the name and style of the Fort Wayne and Bluffton Turnpike company, shall be able and capable, in law and equity, to sue and be sued, plead and be impleaded, defend and be defended, answer and be answered unto, in any and all courts of justice whatever, to make and use a common seal, and the same to alter, change, or renew at pleasure, and shall be able and capable in law to make contracts and enforce the same, and to make and enforce the necessary by-laws and rules and regulations to enable them to carry into effect the provisions of

this act, and the objects contemplated by the same, not inconsistent with the laws and constitution of this State.

Sec. 2. The capital stock of said company shall be forty thousand dollars, divided into shares of twenty-five dollars each, with power to increase the capital stock, if necessary to accomplish the objects herein contemplated.

Sec. 3. The directors in this act named, or a majority of them, shall meet at such time and place as they may agree on, and organize said corporation by electing one of their body president; and after such organization, a majority of said board shall be a quorum to do business.

Sec. 4. The corporation shall have power to appoint agents, clerks, treasurers, surveyors, engineers, superintendents, artists, and all other persons and officers necessary to carry into effect the provisions of this act; they shall keep a journal of their proceedings, in which shall be entered all by-laws and regulation and orders for the payment of such allowances as may be made to their officers and all others in their employment, which journal and proceedings shall from time to time, be signed by their president; they shall sit upon their own adjournments, or on the call of the president; when the president is absent, they may appoint a president *pro tempore*, and shall fill all vacancies that may occur on their body.

Sec. 5. The corporation shall cause books to be opened for subscriptions to the capital stock, at such time and at such places as they may choose, due notice of which shall be given, in each of which books the following entry shall be made:

We, the undersigned, promise to pay the sum of twenty-five dollars for each share of stock set opposite our names, in labor, materials, land, or money, in such manner, and at such times and proportions as the president and directors of the Fort Wayne and Bluffton Turnpike company may direct, the value of all subscriptions, other than cash, to be settled by the board of directors, and to be appraised at what the board shall consider their actual cash value at the time of payment.

Witness our hands and seals this — day of — A. D. —.

Sec. 6. It shall be lawful for all persons of lawful age, for the agent of any corporate body, for the agent of the United States on behalf of the same, for the commissioners of any county, the mayor and common council of any city, and the trustees of any town or village within the United States, to subscribe for any amount of capital stock in said company; and the books for subscription of stock shall be kept open in such place or places within the State of Indiana, or any other State, for such periods of time as the corporation may direct; and for the purpose of raising money to complete the road contemplated by this charter, or any part thereof, the said corporation shall have power to borrow money, either by mortgage of the road, or any other manner that may be agreed upon between the corporation and the party or parties of whom the loans may be obtained.

Sec. 7. As soon as one hundred shares are subscribed, it shall

be the duty of the corporation to give three weeks notice thereof in the nearest newspaper printed in the vicinity of said contemplated road, and in such notice to appoint a time and place for the stockholders to meet, and elect nine directors, who shall be stockholders and citizens of the State, which election shall be held within three months after the last share in the one hundred shares shall be subscribed for, and shall be conducted by three judges, appointed by the stockholders present, and the persons having a plurality of the votes given, and counted in public, shall be declared duly elected. No share shall give the owner a right to vote at any election after the first election, unless the same shall be held one month previous to the election ; in all elections one share shall entitle the holder to one vote only, and votes shall be given by the person holding the same, or by one of any partners, or by the husband, father, mother, executor or administrator, trustee or guardian, or by the authorized agent of any corporation, State, United States, county, city, village, and town, or any person having a right to vote, may vote by proxy.

Sec. 8. It shall be the duty of the directors elected as above, and those elected at all subsequent elections, to meet as soon thereafter as they can conveniently, and elect one of their own body president, and directors thus elected shall continue in office until the next annual election, and until their successors are elected and organized.

Sec. 9. All elections after the first shall be held on the first Tuesday of December, annually, at such hour and place as the directors may direct, three weeks notice of which shall be given by publication in a newspaper printed and published in the vicinity of the contemplated road. The judges of all elections shall be three in number—they shall, after the first election, be appointed by the board of directors, and shall be stockholders, but not directors, at the time of the election. And it shall be the duty of said judges after the result of said election shall be known, to furnish the directors elect with a certificate of their election, which certificate shall be evidence of their right to act as such directors. The number of directors shall be nine, a majority of which shall be a quorum to transact business : *Provided*, That if from any cause whatever there shall be no election held on the day appointed, it shall be lawful to hold the election on any other day, to be designated by the directors.

Sec. 10. Certificates of stock shall be given to the stockholders, which shall be evidence of the stock held ; they shall be signed by the president, and countersigned by the clerk ; stock shall be transferable on the books of the corporation only, personally, or by an agent or an attorney, or by the administrators, executors, trustees, or guardians, but the corporation shall have a lien upon such stock for all sums due from the stockholders to the corporation, either for subscriptions of stock, or on any contract made prior to such transfer.

Sec. 11. The corporation shall have power to call for such part

of the stock subscribed, as may seem to them necessary to carry on the work, to be paid by the stockholders in such materials, land, labor, or money, as shall have been designated by the party subscribing for such stock, to be paid at such time and place as the board of directors may designate by giving sixty days notice in one of the nearest newspapers to said route, or by giving written notice to the stockholders. In all such notices the amount demanded on each share, and the time and place of payment shall be set forth, and it shall be the duty of the board of directors to give each person subscribing for stock in materials, or labor, to furnish the same upon the road most convenient to his premises, and if any stockholder shall neglect, or refuse to pay, or furnish such requisition within ten days after the time mentioned in such notice for such payment, the corporation shall have power to collect the same by an action at law in any court of competent jurisdiction, the same to be collected without the benefit of the appraisal laws. The corporation shall have the power through the president, and in his name, but for their use, to purchase the stock of any stockholder, when offered in execution on a judgment obtained against him in favor of the corporation, and to sell the same in their discretion for the benefit of the corporation.

Sec. 12. The corporation shall require all officers and others in their employment to give bond, with security to their acceptance, with such penalty as they think proper, for the faithfull performance of their respective duties.

Sec. 13. The corporation by their agent shall have power from time to time to examine, mark, and locate the route of said turnpike road from the public square in Fort Wayne, Allen county, to Bluffton, Wells county, with power to divulge from a direct line for the interest of the company and public convenience, such road shall not exceed one hundred feet in width.

Sec. 14. And for the purpose of making each examination and location, it shall be lawful for the corporation, by their agent and persons in their employ, to enter upon any lands to make surveys and estimates, for the purpose of searching for stone, gravel, wood, or other material necessary for the construction of said road.

Sec. 15. It shall be lawful for the corporation either before or after the location of any section of said road, to obtain from the person or persons through whose land said road may pass, a relinquishment of so much of said land as may be necessary for the construction of said road or location thereof, as also the stone, gravel, wood, timber, or other materials that may be obtained on said route, or near thereto, for the benefit of said corporation; and all such contracts, relinquishments, donations, gifts, grants, and bequests, made and entered into in writing by any person or persons capable in law to contract, made in consideration of such location or otherwise, and for the benefit of such corporation, shall be binding and obligatory, and the corporation may have their action in law in any court of competent jurisdiction, to compel the observance of the same.

Sec. 16. The corporation shall cause said road to be opened not exceeding one hundred feet wide, and at least twenty feet shall be made an artificial road, (except upon such points as may be upon a good natural road already in use,) and such road be covered with gravel, sand, wood, stone, coal, clay, or such other materials as can best be secured to be put on, in as compact a manner as is usual for such materials.

Sec. 17. If it shall be found convenient or advantageous to the construction and location of said road, the corporation shall have the power and the right to lay the same along or upon any State or county road; *Provided*, That all State and county roads crossing said turnpike road, shall be left open and free.

Sec. 18. That when said road or any particular section thereof, shall be located, it shall be the duty of said corporation to cause a plat or plats thereof to be deposited in the office of the county auditor in the county where such road is located, and after that time it shall not be lawful for said corporation to alter or change any part thereof, unless said corporation pay the owner or owners of the land on said route the amount of damage they may sustain by said change.

Sec. 19. That if said road after its completion, or any section thereof, shall be suffered to go to decay, or be impassable one year, unless the same is repairing, this charter shall be considered as forfeited.

Sec. 20. The corporation shall commence the construction of the same within five years, and complete so much thereof as shall be for the general interest of all concerned and the means of the company will allow, and whenever five continuous miles of said road shall be completed agreeably to the provisions of this act, the county Commissioners of the proper county shall appoint an agent to examine the same and report his opinion in writing, to the corporation, and if said road report shall state the road or any continuous five miles of the same, to be completed agreeable to the provisions of this act, the corporation may then erect a gate or gates at suitable distances apart, not less than five miles, and demand and receive of all persons travelling said road, such tolls and at such rates as said corporation may determine upon, to collect and receive from all persons travelling, or for the privilege of driving all kinds of live stock, wagons, and teams, pleasure carriages, sleighs, and all other vehicles and things that may pass said road, or any part thereof, as shall be for the interest of said company, and the same to change, lower, or raise at pleasure.

A list of the rates established from time to time shall be posted up at some conspicuous place or places at each gate.

Sec. 21. If any person or persons using said road shall, with intent to defraud said corporation, or to avoid the payment of tolls, pass through any private way, gate, or bars, or along any other ground near to said turnpike gate, which shall be enclosed pursuant to this act, or shall practise any fraudulent means with intent to

evade or lessen the payment of such toll, or if any person shall take another person off said road with intent to defraud such corporation, each and every person concerned in such fraudulent practice, shall for every such offence forfeit and pay to the corporation the sum of five dollars, without any benefit of appraisement or stay law, to be recovered with costs of suit, in an action of debt, at the suit of the corporation, before any Justice of the Peace in the county ; *Provided*, That nothing in this act shall be so construed as to prevent persons residing along said road, from passing about their premises between the gates on said road upon ordinary business.

Sec. 22. The company shall set up a post or stone at the end of every mile, with the number of miles from the place where the road may commence, fairly cut or painted thereon, and also in a conspicuous place near each gate shall be placed a board with the rates of toll fairly painted thereon, and all the necessary matter in relation to directions.

Sec. 23. Any person wilfully or negligently destroying, defacing, or removing any guide board, mile post, or stone, or list of rates of toll erected on said road, or remove any plank, board, or other materials which have been used in the construction of said road, shall on conviction thereof before any Justice of the Peace, or court having competent jurisdiction, forfeit and pay a sum not exceeding twenty dollars, to be recovered with costs of suit, in an action on the case, at the suit and for the use of the corporation.

Sec. 24. If any toll gatherer on said road shall unreasonably detain any passenger after the toll has been paid or tendered, or shall demand or receive greater toll than by this act allowed, he shall for every such offence, forfeit and pay a sum not exceeding ten dollars, to be recovered before any Justice of the Peace having competent jurisdiction, within twenty days after the occurrence.

Sec. 25. The corporation shall cause to be kept a fair account of the whole expenses of making and repairing said road, or any section thereof, with incidental expenses, also a fair account of the tolls received ; and the books of the corporation shall always be open for the inspection of an authorized officer of the State, or stockholder of said company ; and the company shall have the right to sell the stock to the State upon such terms as they may agree.

Sec. 26. This charter shall be limited to fifty year's duration, and be in force from and after its passage, and be liberally construed as a public act for all beneficial purposes.

Sec. 27. Every person residing on premises through or touching which said road passes, shall have the privilege at all times of passing and of going along and over said road, for the distance of one and a-half miles each way from his place of residence without paying any toll or charge for himself, or for any of his cattle, teams, or property.

Sec. 28. The directors that may contract any debts over and above the amount of stock secured, shall be liable, in their individ-

ual capacity, for the payment of all dues to laborers for work done, upon said road, which shall not have been paid when due, by the company in its corporate capacity.

Sec. 29. The Legislature reserves the right to repeal this charter whenever its provisions are violated, and if repealed, the assets, after the payment of all liabilities shall be divided among the several stockholders, in proportion to the amount of stock paid in by each.

Sec. 30. The board of directors shall have power to receive by deed or other proper and legal conveyance, any lands, mortgages, stock in any other companies, or other materials which may be subscribed for stock in this company, and sell the same for money, labor, or otherwise convert the same into means, to be used in the construction of said road and to give all proper deeds or other legal conveyance that may be necessary to complete the sale of the same.

Sec. 31. The stock of the corporation shall be considered personal property and may be sold in execution and transferred upon the books of the corporation by the officer selling the same, but shall, in all cases, be subject to the lien named in section ten, (10.)

Sec. 32. This act shall be in force from and after its passage, and it is hereby made the duty of the Secretary of State, to forward a certified copy of this act to the clerk of the Allen circuit court.

Which amendment was adopted.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Rippey, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred several petitions of citizens of Elkhart county, asking the repeal of an act entitled "An act to repeal the fourth section of the 47th chapter of the Revised Statutes, so far as relates to Elkhart county, and also, remonstrances on the same subject, have had that subject under consideration and have directed me to report the following bill, and ask to be discharged from further consideration of the subject:

No. 343. A bill to repeal an act entitled "An act to repeal the 4th section of the 47th chapter of the Revised Statutes, so far as relates to Elkhart county."

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Harlan, (on leave,) introduced,  
No. 344. A bill to locate a State road in the counties of Grant  
and Delaware;

Which was read three several times, the rules having been sus-  
pended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Harlan, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred the petition of Jas. Brownlee and others, praying for a charter to construct a Rail Road from Muncie, in Delaware county, to some point on the Wabash and Erie Canal, have had the subject under consideration and directed me to report the following bill and recommend its passage:

No. 345. A bill to incorporate the Muncie, Jonesborough, Marion and Peru Rail Road Company.

Which was read three several times, the rules having been sus-  
pended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Harlan, (on leave,) introduced,  
No. 346. A bill to amend section one hundred and one, (101,) of  
chapter thirty-eight, (38,) of the Revised Statutes of 1843;

Which was read the first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Hendricks moved to refer the bill to the committee on the ju-  
diciary;

Which motion did not prevail.

Mr. Buskirk moved to amend by adding "regular" before the word  
"deputy."

Mr. Kelso moved to amend the amendment by adding "except in  
term."

Mr. Edwards moved to lay the bill and amendment on the table.

Which motion did not prevail.

On motion by Mr. Ross of Miami,  
The House adjourned.

*Two O'clock, P. M.*

The House met.

Mr. Vawter, on leave, introduced

No. 347. A bill to secure to the common school fund of Jennings county the value and rents of certain real estate in said county and for other purposes;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr Johnston of Putnam, on leave, offered the following preamble and resolution :

WHEREAS, Professor Larrabee would respectfully ask the members of the House of Representatives to accept a copy of the catalogue of the Indiana Asbury University for 1848, which if the House please he will cause to be laid on their desks :

*Therefore, Resolved*, That this House will unanimously accept of one copy each of said catalogue, when they shall be presented ;

Which was adopted.

On motion by Mr. Kelso,

The order of business was suspended for the purpose of receiving reports from standing and select committees.

Mr. Dobson, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The committee on claims to which was referred the petition of Martha Modawell, widow of Adam Modawall, deceased, have had said petition under consideration and directed me to report the following bill and recommend its passage.

No. 348. A bill for the relief of Martha Modawell, widow of Adam Modawell, deceased.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Dobson, chairman of the committee on claims, made the following report :

MR. SPEAKER :

The committee on claims to whom was referred the petition of Peter Bailey, have had the subject under consideration and directed me report that is inexpedient to legislate on that subject, and ask to be discharged.

Which was concurred in.

Mr. Dobson, chairman of the committee on claims, made the following report:

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MR. SPEAKER:

The committee on claims to whom was referred the petition of R. A. Riley, have had the same under consideration, and directed me to report that it is the opinion of this committee that the claim should not be paid out of the Treasurer's office, but that the petitioner should look to the prosecuting attorney, who has been paid for services rendered by said Riley in his absence; and your committee ask to be discharged.

Which was laid on the table.

Mr. Dobson, chairman of the committee on claims, made the following report:

MR. SPEAKER:

The committee on claims to whom was referred the claim of L. P. Frazer, have had the same under consideration, and have directed me to report that it is the opinion of said committee that it ought not to be allowed.

Which was concurred in.

Mr. Dobson, chairman of the committee on claims, made the following report:

MR. SPEAKER:

The committee on claims to whom was referred the petition of Wm. V. Cheek and Milton Gregg, have had the subject under consideration, and have directed me to report that is inexpedient to legislate on that subject; and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Dobson, chairman of the committee on claims, made the following report:

MR. SPEAKER:

The committee on claims to whom was referred the claim of Isham T. Beck, have had the subject under the consideration and have directed me to report the following resolution and ask its adoption.

*Resolved*, That the committee on ways and means be instructed to allow Isham T. Beck eight dollars in the specific appropriation for boarding and taking care of a wounded volunteer.

Which was adopted.

Mr. Dobson, chairman of the committee on claims, made the following report :

MR. SPEAKER.

The committee on claims, to whom was referred the claim of Joseph I. Stretcher for materials furnished and work done in and about the State House, have had the same under consideration, and have directed me to report the following resolution, and ask its adoption :

*Resolved*, That Joseph I. Stretcher be allowed by the committee on ways and means, in the specific appropriation bill, for articles furnished and work done about the State House, eleven dollars and fifteen cents.

Which was adopted.

Mr. Dobson, chairman of the committee on claims, made the following report :

MR. SPEAKER:

The committee on claims, to whom was referred the petition of Thomas Eaglefield, have had the same under consideration, and have directed me to report the following resolution, and recommend its adoption :

*Resolved*, That the committee on ways and means be instructed to allow Thomas Eaglefield twenty dollars in the specific appropriation bill, for lumber furnished the Indiana volunteers.

Which was adopted.

Mr. Rifner, from the committee on roads, made the following report :

MR. SPEAKER:

The committee on roads, to whom was referred the petition of certain citizens of Porter county for the legalization of a certain road therein named, have had the same under consideration, and directed me to report the following bill and recommend its passage, and ask to be discharged from the further consideration of the subject :

No. 349. A bill legalizing a State road in Porter county ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Wolfe, chairman of the committee on roads, made the following report:

MR. SPEAKER:

The committee on roads, to whom was referred House bill, No. 213, "An act to amend section 105, chapter 16, of the Revised Statutes of 1843," have had the same under consideration, and directed me to report the same back to the House without amendment, and recommend its passage, and ask to be discharged from any further consideration of the subject.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Johnson of Dearborn, chairman of the committee on agriculture, made the following report:

MR. SPEAKER:

The committee on agriculture, to whom was referred the petition of Robert Craig and others, have had the same under consideration, and directed me to report that it is inexpedient to grant the prayer of said petitioners.

Which was concurred in.

Mr. Dowling, chairman of the committee on canals and internal improvements, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements, to which was referred a resolution directing the committee to inquire whether the State, in erecting a dam across Deer creek, in Carroll county, and thereby destroying the ford across said creek, is not under obligation to erect a bridge across and over the same, have had the same under consideration, and have directed me to report, that in the opinion of the committee there is no obligation on the State to erect any such bridge, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Dowling, chairman of the committee on canals and internal improvements, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements, to which was referred bill of the Senate, No. 94, entitled "An act to enable the White Water Valley Canal Company to put said Canal in repair," have had the same under consideration, and have directed me to report the same back to the House with one amendment, and ask to be discharged.

Strike out section 5, and insert the accompanying amendment in lieu thereof:

Sec. 5. This act shall be in force and take effect so soon as the lessees of water power, between the feeder dam at Harrison and Lawrenceburgh, inclusive, shall surrender the leases now held from the State of Indiana, and receive new leases from the White Water Valley Canal Company, and not before: *Provided, however,* That said White Water Valley Canal Company shall not impose higher rates for the rent of any of said power than is now paid under the present leases, nor shall said Company impose any conditions inconsistent with the existing obligations of said lessees: *And provided further,* That should all or any of said lessees refuse to surrender the leases aforesaid, and take new ones on or before the first day of April, 1849, as provided in this section, then the White Water Valley Canal Company shall not be compelled to make said repairs till ten months after the final surrender of the leases aforesaid.

Which was adopted.

Mr. Line moved to amend section 1st, line 9th, after the word construction, by striking out the words "and repairs made to the same."

Mr. Julian moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Line and Barbour.

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Blakemore, Brady, Bryant, Bundy, Cockrum, Cox, Cravens, Dawson, Donnohue, Dougherty of Morgan, Dowling, Doyle, Dunn, Duvall, Edwards, Ford, Frazer, Goodwin, Graham, Hankins, Hendricks, Howell, Huddleston, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Julian, Kelley, Lozier, Meredith, Miller, Odell, Orr, Parker of Allen, Rifner, Ross of Miami, Rousseau, Spencer, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, Winstandley, and Wood—49.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Buskirk, Caldwell, Decker, Dobson, Dougherty of Boone, Drake, Edmonston, Ford, Frazer, Gillum, Har-

lan, Hicks, Hill, Huckleberry, Hughes, Jones of Bartholomew, Jones of Huntington, Kelley, Line, Mills, Morgan, Nicholson, Osborn, Parker of Brown, Pierce, Place, Rice, Rippey, Ryan, Shaw, Smith Thompson, Wilson, Withers, Wolfe, Young, and Mr. Speaker—39.

Mr. Line moved to amend section 2d, third line, after the word December, insert, "under the oath of the secretary of the board of directors;"

Which was adopted.

Mr. Meredith moved to suspend the rules, and read the bill a third time.

The ayes and noes being demanded by Messrs. Barbour and Riley,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Brady, Bryant, Bundy, Casselberry, Cockrum, Cox, Decker, Donnouhe, Dougherty of Morgan, Dowling, Doyle, Dunn, Duvall, Edmonston, Edwards, Ford, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Hendricks, Hill, Howell, Huckleberry, Huddleston, Hughes, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Julian, Kelley, Kelso, Lozier, Maddox, Meredith, Miller, Mills, Morgan, Nicholson, Odell, Orr, Parker of Allen, Pierce, Place, Rice, Risner, Ross of Miami, Rousseau, Ryan, Smith, Spencer, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Withstandley, Withers and Wood—68.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Blakemore, Buskirk, Caldwell, Cravens, Dawson, Dobson, Dougherty of Boone, Drake, Frazer, Hicks, Jones of Bartholomew, Jones of Huntington, Line, Osborn, Parker of Brown, Riley, Rippey and Mr. Speaker—19.

So the rules were suspended.

Mr. Ford moved the previous question;

Which was seconded by the House.

The question being "Shall the main question be now put?"

Was decided in the affirmative.

The question then being on the passage of the bill.

The ayes and noes being demanded by Messrs. Buskirk and Line,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Brady, Bryant, Bundy, Cockrum, Cox, Donnouhe, Dowling, Doyle, Dunn, Edwards, Gessie, Hankins, Huddleston, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Julian, Kelley, Kelso, Lozier, Meredith, Miller, Nicholson, Odell, Orr,

Parker of Allen, Rifner, Ross of Miami, Rousseau, Snook, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, Winstandley and Wood—41.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Blakemore, Buskirk, Caldwell, Chambers, Cravens, Dawson, Decker, Dobson, Dougherty of Boone, Dougherty, of Morgan, Drake, Edmonston, Frazer, Ford, Gillum, Goodwin, Harlan, Hicks, Hill, Huckleberry, Hughes, James, Jones of Bartholomew, Jones of Huntington, Kelley, Line, Osborn, Parker of Brown, Pierce, Place, Rice, Rippey, Ryan, Shaw, Smith, Wilson, Withers, Wolfe and Mr. Speaker—41.

So the bill did not pass.

Mr. Drake, from the committee on canals and internal improvements, made the following report:

MR. SPEAKER :

The committee on canals and internal improvements to which was referred the petition of Robert Earl of Morgan county, asking compensation for damages done to his property, by cutting away the levee of the Central Canal near the feeder dam, in order to save the said dam from destruction, have had the same under consideration, and have directed me to report the accompanying bill, recommend its passage, and ask to be discharged from the further consideration of the subject:

No. 350. A bill for the relief of Robert Earl of Marion county ; Which was read the first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

The question being on the engrossment of the bill ;

Was decided in the negative.

Leave of absence was granted to Messrs. Hughes, Bundy and Spencer.

Mr. Dawson, from the committee on canals and internal improvements, made the following report:

MR. SPEAKER :

The committee on canals and internal improvements, to whom was referred the petition of Timothy Adams and 487 other citizens of Noble, Elkhart, and Lagrange counties, asking some action by the Legislature in regard to the Erie and Michigan canal, and the levying of a tax on themselves and other citizens interested in that work, for its completion, have had the same under consideration, but owing to the late period at which it reached the committee, (January 10, 1849,) have had but little time to give it a careful ex-

amination, and are not prepared, notwithstanding the acknowledged importance of the subject, to recommend any definite measure to the House in relation thereto; they would therefore respectfully recommend that the petition be laid upon the table, and ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Edmonston, chairman of the committee on corporations, made the following report:

MR. SPEAKER:

The committee on corporations, to which was referred bill of the Senate No. 118, "an act for the benefit of the Ohio and Indianapolis Railroad company, and changing the name and style of said company," have had the same under consideration, and have directed me to report the same back to the House with one amendment, upon the adoption of which they recommend its passage.

Amend by adding the following section:

Sec. —. For the purpose of constructing said road, with all desirable appendages, and for putting and keeping the same in repair, and for doing all proper business thereon, said company are hereby authorized to enter upon, take, and hold in fee simple all real estate and materials necessary for that purpose, doing no unnecessary damage, and when such real estate or material cannot be had by donation or fair purchase, the owner may file his claim for damages in the office of the secretary of the company, and select an arbitrator, whereupon the company shall select another, and these two a third, who shall be disinterested men, and within a reasonable time, having been sworn, they shall proceed to examine the case and make out and file their award in the premises with said secretary, from which award either party may appeal to the circuit court of the county where the secretary keeps his office, which appeal shall be in all things regulated and tried as appeals are from the judgment of a justice of the peace in this State, said secretary being regarded as such justice in this behalf, and whenever any real estate is so taken, or is damaged, the arbitrators' court, or jury trying the case, shall estimate any and all advantage said road may be to the other real estate of the claimant, adjacent or contiguous to that taken, deduct such advantage from the damage done, and find for the claimant the balance only, if any there be; if there be none, the claimants shall pay all costs; if damages be recovered, the company shall pay the costs; and that all claims for damages shall cease unless applied for in two years next after the property shall have been taken possession of by said company."

Which amendment was adopted.

The bill was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Edmonston, chairman of the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House No. 269, "a bill to incorporate the Montezuma canal lock company," have had the same under consideration, and have directed me to report the same back to the House with several amendments, upon the adoption of which they recommend its passage :

1st amendment :—

Add to the first section the following :

"Before said company shall have the right to tap the said canal, they shall first have obtained the consent in writing of the trustees of the Wabash and Erie canal.

2d. The President and Directors of said company shall be liable in their individual capacity for all debts contracted in the prosecution of said work over and above the amount of solvent stock secured to the company, and the Legislature reserves the right to alter, amend, or repeal this charter, when any of its privileges shall be violated.

Mr. Duvall offered the following amendment to the amendment of the committee :

*Provided, however,* That said company shall not drain water from the main line of the Wabash and Erie canal, for the use of said side-cut canal, so as to materially injure the navigation of said main line of canal."

Which was adopted.

The question then recurring on the amendments as amended,  
Was decided in the affirmative.

Mr. Duvall offered the following amendment to the 3d section of the bill :

Strike out "Newport in Vermillion county," and insert "Montezuma in Parke county."

Which amendment was adopted.

On motion,

The rules were suspended, the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Edwards, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House No. 283, entitled "an act to incorporate the United States

Insurance company," have had the same under consideration, and directed me to report it to the House, and recommend that it be re-committed to the judiciary committee, and ask to be discharged from the further consideration of the bill.

Which report was concurred in.

Mr. Dougherty of Morgan, from the committee on corporations, made the following report:

MR. SPEAKER :

The committee on corporations, to whom was referred House bill No. 313, "an act to incorporate the Preacher's Relief Society of the Methodist Protestant Church of Indiana," have had the same under consideration, and have instructed me to report the same back to the house without amendment, and recommend its passage. .

On motion,

The rules were suspended and the bill was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ross, of Miami, on leave, introduced the following resolution:

*Resolved*, That when this House adjourn, it adjourn to meet tomorrow morning at 9 o'clock.

Which was adopted.

Mr. Ryan, from the committee on corporations, made the following report:

MR. SPEAKER :

The committee on corporations, to which was referred Senate bill No. 158, entitled an act concerning the Lafayette and Indianapolis Railroad Company, have had the same under consideration, and directed me to report the same back without amendment and recommend its passage.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ryan, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill No. 177, entitled "an act to incorporate the Warsaw Manufacturing Company," have had the same under consideration, and directed me to report the same back with one amendment, which, when adopted, recommend its passage :

"Sec. —. The Legislature hereby reserves the right to alter, amend, or repeal this act whenever its privileges shall have been violated ;"

Which amendment was adopted.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Vawter, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bills, and find them correctly enrolled, to-wit :

No. 172. An act for the relief of widows ;

No. 143. An act to amend "an act for the government of the Indiana Hospital for the Insane," approved Feb. 15, 1848 ;

No. 170. A joint resolution relative to land selected by the State of Indiana for canal purposes ;

No. 158. An act to locate a State road in the counties of Allen and De Kalb.

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Casselberry, chairman the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

No. 180. An act for the relief of Solomon May, sen. ;

No. 104. An act amendatory of an act entitled "an act to incorporate the Michigan Road Company," approved Jan. 13, 1845, and an act entitled "an act to amend an act entitled an act to incorporate the Michigan Road Company," approved Jan. 13, 1845, and approved Jan. 1846 ;

No. 146. An act to incorporate the Mt. Carmel and Harrison Turnpike Company;

No. 44. An act to authorize the recorder of Franklin and Switzerland counties to make out a general index;

No. 220. An act for the relief of Andrew Shaw;

No. 185. An act relative to the jurisdiction of justices of the peace in criminal cases;

No. 175. A joint resolution in relation to the Lafayette, Monticello and Michigan city railroad;

No. 189. A act to amend an act entitled "an act to incorporate the Henry county Turnpike Company," approved December 5, 1848;

No. An act to provide for the election of township assessors in the county of Scott;

No. 110. An act incorporating the Perrysville and Danville, and Perrysville and Georgetown Plank Road Company.

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report:

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled, to-wit:

332. An act incorporating the Rockville and Montezuma Plank Road Company.

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House without amendment, to-wit:

No. 282. An act to incorporate the Knox Insurance Company.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment, to-wit :

No. 72. An act to incorporate the Madison county Hydraulic and Manufacturing Company.

No. 127. An act to repeal an act, entitled, "an act providing the opening and repairing public roads and highways in the county of Monroe, approved February 3d, 1841, and for other purposes.

No. 279. An act to amend the plat of Cambridge City.

No. 190. An act to vacate the town of Ventersville, in Morgan county.

No. 193. An act to legalize the assessment of taxable property in Wayne township, Bartholomew county, for the year 1848.

No. 196. An act amendatory of an act incorporating the town of Connerville.

No. 199. A joint resolution in relation to State instruments.

No. 200. A joint resolution on the subject of donating lands by the General Government.

No. 201. A joint resolution on the subject of publishing the general laws of the present session.

No. 204. An act to amend an act extending the jurisdiction of justices of the peace in certain criminal cases, approved 16th February, 1848.

No. 308. An act to confirm a certain change in the Michigan Road in Cass county.

No. 211. An act to change the time of holding circuit courts in the counties of Jennings and Bartholomew.

No. 256. An act to incorporate the Troy and Wabash river Rail Road Company.

No. 323. An act fixing the fees of the Auditor of Switzerland county.

On motion by Mr. Kelso,  
The House adjourned, to meet to-morrow morning at 9 o'clock.



SATURDAY MORNING, JAN. 13, 1849.

The House met.

On motion by Mr. Morgan,  
The reading of the journal was dispensed with.

On motion by Mr. Morgan,  
The House took up,

No. 238. A bill making general appropriations for the year 1849.  
 Mr. Dowling offered the following amendment:

Sec. —. That the Governor, Auditor and Treasurer of State be, and they are hereby authorized to procure by temporary loan from the Branches of the State Bank of Indiana, or from the Sinking Fund, an amount of money sufficient to meet the deficiency in the Treasury, (should any occur) to pay the instalment of interest on the public debt of the State of Indiana, due on the first of July, 1849, if, in the opinion of said Governor, Auditor and Treasurer, it shall be expedient to do so.

Which was adopted.

The rules were suspended and the bill read a third time and passed. ,

*Ordered*, That the Clerk inform the Senate thereof.

Leave of absence was granted to Mr. Miller, from Monday until the close of the session.

Mr. Harlan on leave introduced,

No. 351. A bill to amend the eighth article of the twelfth chapter of the Revised Code;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion,

The order of business was suspended for the purpose of calling on committees for reports.

Mr. Ross of Miami, from the committee on corporations, made the following report:

MR. SPEAKER:

The committee on corporations to which was referred bill of the Senate No. 123, have had the same under consideration, and have authorized me to report the same back without amendment and recommend its passage.

No. 123. A bill to incorporate the Indiana Fire and Marine Insurance Company.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Orr, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred, House bill No. 34, with instructions to amend, have had the same under consideration, and have directed me to report the same (so amended) back to the House, and respectfully recommend its passage.

No. 34. A bill to regulate the fees and salaries of certain officers in Delaware county.

Amend the second section, third line, by inserting after the word "hands," the following, "in the collecting the State, county, and road tax of said county."

Also same section, fourth line, strike out all from the word "hands," to the word "the," where it occurs the second time in the fifth line.

Which was adopted.

On motion by Mr. Orr,

The rules were suspended and the bill read a third time,

The question then recurred on the passage of the bill.

The ayes and noes being demanded by Messrs. Orr and Parker of Allen,

*Those who voted in the affirmative are,*

Messrs. Allen, Blakemore, Brady, Buskirk, Caldwell, Casselberry, Cockrum, Cox, Dawson, Donnoghue, Dowling, Doyle, Drake, Duvall, Edwards, Gillum, Goodwin, Graham, Hankins, Hicks, Hill, Huckleberry, Huddleston, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Kelso, Meacham, Meredith, Miller, Mills, Morgan, Nicholson, Odell, Orr, Osborn, Parker of Allen, Parker of Brown, Rifner, Rippey, Ross of Miami, Rousseau, Smith, Starbuck, Tuttle, Vance, Wawter, Withers, Wolfe, and Young—52.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Bryant, Chambers, Cravens, Decker, Dobson, Dougherty of Boone, Edmonston, Harlan, Hendricks, Howell, James, Jones of Huntington, Julian, Kelley, Line, Maddox, Place, Rice, Riley, Ross of Wabash, Stanton, Thompson, Wilson, Wood, and Mr. Speaker—27.

So the bill passed.

*Ordered,* That the Clerk inform the Senate thereof.

Mr. Edmonston moved to reconsider the vote on Senate bill No. 94, entitled, "a bill to enable the White Water Canal Company to put said canal in repair."

Mr. Barbour moved a call of the House,  
Which motion did not prevail.

Mr. Ford moved the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?

The ayes and noes being demanded by Messrs. Wolfe and Riley:

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Bryant, Bundy, Cockrum, Cox, Dawson, Donnohue, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Duvall, Edmonston, Edwards, Frazer, Ford, Gillum, Gessie, Goodwin, Graham, Hankins, Howell, Huddleston, Hunt, Jackman, Johnston of Dearborn, Johnson of Putnam, Julian, Kelso, Lozier, Maddox, Meacham, Meredith, Miller, Mills, Nicholson, Odell, Orr, Parker of Allen, Rifner, Ross of Miami, Rousseau, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Wood—51.

*Those who voted in the negative are,*

Messrs. Barbour, Blakemore, Buskirk, Caldwell, Chambers, Cravens, Decker, Dobson, Dougherty of Boone, Hicks, Hill, Huckleberry, Jones of Bartholomew Jones of Huntington, Kelley, Line, Morgan, Osborn, Parker of Brown, Place, Rice, Riley Rippey, Ross of Wabash, Ryan, Shaw, Smith, Wilson, Winstandley, Wolfe and Mr. Speaker.—52.

So it was decided that the main question should be now put.

The main question being “shall the vote on the passage of the bill be reconsidered?”

The ayes and noes being demanded by Messrs. Buskirk and Parker of Allen,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Brady, Bryant, Bundy, Cockrum, Cox, Donnohue, Dougherty, of Morgan, Dowling, Doyle, Dunn, Duvall, Edmonston, Edwards, Gessie, Gillum, Goodwin, Graham, Hankins, Hendricks, Howell, Huddleston, Hunt, Jackman, Johnson, of Dearborn, Johnston, of Putnam, Julian, Kelso, Lozier, Meacham, Meredith, Miller, Mills, Nicholson, Odell, Orr, Parker, of Allen, Rifner, Ross, of Miami, Ross, of Wabash, Rousseau, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Withers, and Wood, —51.

*Those who voted in the negative are,*

Messrs. Barbour, Blakemore, Buskirk, Caldwell, Chambers, Cravens, Dawson, Decker, Dobson, Dougherty, of Boone, Frazer,

Hicks, Hill, Huckleberry, Jones, of Bartholomew, Jones, of Huntington, Kelley, Line, Morgan, Osborn, Parker, of Brown, Place, Rice, Riley, Rippey, Ryan, Shaw, Smith, Wilson, Winstandley, Wolfe, Young, and Mr. Speaker—33.

So the vote was reconsidered.

Mr. Meredith moved the previous question,

Mr. Barbour moved a call of the House;

Which motion did not prevail.

The question being on seconding the previous question,  
The ayes and noes being demanded by Messrs. Barbour and Rice,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Brady, Bryant, Bundy, Cockrum, Cox, Donnouhie, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Duvall, Edwards, Gessie, Gillum, Goodwin, Graham, Hankins, Howell, Huddleston, Hunt, Jackman, Johnson of Deaborn, Johnston of Putnam, Julian, Kelso, Lozier, Meacham, Meredith, Miller, Mills, Nicholson, Odell, Orr, Parker of Allen, Rifner, Ross of Wabash, Rousseau, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Withers and Wood.—48.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Blakemore, Buskirk, Caldwell, Chambers, Cravens, Dawson, Decker, Dobson, Dougherty of Boone, Frazer, Ford, Hendricks, Hicks, Hill, Huckleberry, Jones of Bartholomew, Jones of Huntington, Kelley, Line, Morgan, Osborn, Parker of Brown, Place, Rice, Riley, Rippey, Ross of Miami, Ryan, Shaw, Smith, Wilson Winstandley, Wolfe, Young, and Mr. Speaker—43.

So the previous question was seconded.

The question then being “ shall the main question be now put ? ”

The ayes and noes being demanded by Messrs. Wolfe and Rice,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Allen, Brady, Bryant, Bundy, Cockrum, Cox, Donnouhie, Dougherty of Morgan, Dowling, Doyle, Drake, Dunn, Duvall, Edwards, Gessie, Gillum, Goodwin, Graham, Hankins, Hendricks, Huddleston, Hunt, Jackman, Johnson of Dearborn, Johnston, of Putnam, Julian, Kelso, Lozier, Meacham, Meredith, Miller, Mills, Nicholson, Odell, Orr, Parker, of Allen, Rifner, Ross, of Wabash, Rousseau, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, and Wood—49.

*Those who voted in the negative are,*

Messrs. Barbour, Blakemore, Buskirk, Caldwell, Chambers, Cravens, Dawson, Decker, Dobson, Dougherty, of Boone, Frazer, Ford, Hicks, Hill, Huckleberry, Jones of Bartholomew, Jones of Huntington, Kelley, Line, Morgan, Osborn, Parker, of Brown, Place, Rice, Riley, Rippey, Ross, of Miami, Ryan, Shaw, Smith, Wilson, Winstandley, Wolfe, Young and Mr. Speaker—35.

So it was decided that the main question should be now put.

The question then recurred on the main question, which was,  
“Shall the bill pass?”

The ayes and noes being demanded by Messrs. Dobson and Parker of Brown,

*Those who voted in the affirmative are,*

Messrs. Alden, Allen, Brady, Bryant, Bundy, Cockrum, Cox, Donnouue, Dowling, Doyle, Dunn, Duvall, Edwards, Gessie, Gillum, Goodwin, Graham, Hankins, Howell, Huddleston, Hunt, Jackson, Johnson of Dearborn, Johnston of Putnam, Julian, Kelso, Lrazier, Meacham, Meredith, Miller, Mills, Nicholson, Odell, Orr, Parker of Allen, Rifner, Ross of Miami, Rousseau, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster and Wood—48.

*Those who voted in the negative are,*

Messrs. Alexander, Blakemore, Caldwell, Chambers, Dougherty of Morgan, Drake, Edmonston, Frazer, Hendricks, Maddox, Riley, Ross of Wabash, Winstandley, Withers and Mr. Speaker—15.

There being less than a quorum voting, the bill did not pass.

On motion by Mr. Meredith,

A call of the House was ordered.

After some time spent in the call, it appeared that a quorum was present, 82 members having answered to a call of their names.

On motion,

A further call of the House was suspended with.

Mr. Parker of Brown, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred House bill, No. 203, have had the same under consideration and recommend the following amendment: To strike out said act from the enacting clause, and insert the following, and when adopted, recommend its passage:

No. 203. A bill to alter the time of holding circuit courts in Owen and Brown counties, in 10th circuit.

Amend by striking out the bill from the enacting clause and insert the following :

"That the circuit courts of the tenth judicial circuit, shall be holden as follows, to-wit:

In the county of Owen, on the first Monday of March, and third Monday of August, in each year, to be holden for one week. In the county of Morgan, on the Monday succeeding the terms of the county of Owen, to be holden for eight days. In the county of Monroe, on the Thursday succeeding the terms of the county of Morgan, to be holden for nine days. In the county of Brown, on the Monday succeeding the terms in the county of Monroe, for one week, and in the counties of Green, Daviess, Martin, and Lawrence, as is now fixed in the act to which this is an amendment.

"Sec. 2. The second section of the act to which this is an amendment, shall apply to this act and have the same effect as if it was made a part of this act.

"Sec. 3. This act to take effect and be in force from and after the filing a certified copy of this act, in the several counties affected by this act, and it is hereby made the duty of the Secretary of State, to forward a certified copy of this act in the Clerks' offices of the counties of Owen, Morgan, Brown, and Monroe."

Which amendment was adopted.

On motion by Mr. Buskirk,

The rules were suspended and the bill read a third time and passed.

Mr. Dougherty of Morgan, moved to amend the title as follow :

"A bill to alter the time of holding circuit courts in Owen, Morgan, and Brown counties, in the 10th judicial circuit."

Which motion prevailed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Julian, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of John Allen and others, on the subject of an amendment to the charter of the Richmond and Boston Turnpike Company, have had the same under consideration and direct me to report the following bill and recommend its passage, and they ask to be discharged :

No. 352. A bill to amend "An act to incorporate the Richmond and Boston Turnpike Company."

On motion,

The rules were suspended, the bill read three several times and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Drake, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of the town of Indianapolis, praying for the passage of a law, authorizing market street, in said town, to be opened, have directed me to report the following bill, and recommend its passage :

No. 353. A bill declaring Market Street in the town of Indianapolis, a public highway.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ross of Miami, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Miami county, have had the same under consideration and direct me to report that a bill has already passed this House, giving all the relief prayed for in said petition, which this Legislature have the power to grant, and therefore they would recommend that said petition be laid on the table, and that they be discharged from further action on the subject.

Which was concurred in.

Mr. Donnohue, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of sundry citizens of the town of Cloverdale, in Putnam county, have had the same under consideration and direct me to report the following bill, and recommend its passage :

No. 354. A bill to incorporate the town of Cloverdale;

Which was read three several times, the rules being suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Hicks, from a select committee, made the following report :

## MR. SPEAKER :

The select committee to whom was referred the petition of James Galletly, in relation to claims of the Branch of the State Bank of Indiana at Terre Haute, have had the subject under consideration, and directed me to make the following report:

The committee deem it due to this House, the parties, and the public, to state the result of their investigation in the matter.

It appears, some time in the fall of 1839, one John Young executed a note (blank as to the amount) payable at the *Branch* of the State Bank at Terre Haute, which note was at, or about the time of its execution, endorsed by J. Wistfall, Sam'l Scott, Jno. Johnson, Jas. G. Stephenson, Jas. Galletly, George Deignum, and James Young, the date of the note appears to have been altered from what it was originally, (and which cannot now be ascertained,) to the 2d day of March, 1840, at which time it was discounted at the Bank, the blank having been filled with "thirty-five hundred dollars." The books of the bank show the following entry in substance, note drawn by John Young, dated March 2d, 1840, for thirty five hundred dollars, payable on the 24th day of July, 1840, endorsers, "Isaac Westfall and others," the note was protested, and suit instituted thereon at the September term of the Owen Circuit Court, in the year 1841. In the year 1842 A. B. Fontaine, Cashier of said Terre Haute Branch, reported to N. B. Palmer, examining agent, that a note drawn by John Young, and endorsed by Isaac Westfall, L. Beem, S. Scott, D. B. Houtshouse, W. Young, and G. Druggnum, date, time of payment, and amount corresponding with the note first mentioned, on which said Galletly was an endorser, which was then actually in suit, but no report thereof made. It further appears to the committee, that Galletly after endorsing said note, and before it was discounted, wrote and marked a letter, addressed to the President of the Branch of the Bank and Terre Haute, requesting that the same should not be discounted, but that his letter was not received by the President or Officers of the Bank, nor does it appear the Bank Officers apprehended a loss on claims, which the Bank then held on John Young and others, calculated to induce them to discount the note above mentioned, fraudulently, against the known wishes of Galletly. At the same time that the committee express, as they now do, the opinion that from all the facts in the case before them, Galletly has no legal and valid defence against said note, of which he may not avail himself in a court of justice, yet in justice to him they are compelled to say, the time which elapsed between the making and endorsing the note, and the discount thereof by the Bank, the incomplete description upon the books, the report of Fontaine of a note in suit of a like date and amount of the one upon which he was sued, but upon which the report showed different endorsers, in connection with the facts that he had addressed a letter to the President of the Bank, notifying him not to discount the note, and that no note to the Bank

was reported to Palmer, upon which he was an endorser, very naturally led Galletly to suspect unfairness on the part of the Bank officers.

The foregoing is respectfully submitted, and the committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Parker of Allen, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition Robert Hood and others, praying the location of a State road in Allen county, have had the same under consideration, and directed me to report the following bill and recommend its passage, and your committee would ask to be discharged :

No. 355. A bill to locate a State road in Allen county ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Riley, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the Senate No. 204, an act fixing the compensation and defining the duties of prosecuting attorney of Hancock county, have had the same under consideration, and a majority of the committee have directed me to report the following amendment, which when adopted, they recommend its passage :

"That the prosecuting attorney for the county of Hancock, shall, on all prosecutions for felony, on conviction, on plea of not guilty, be allowed a fee of ten dollars, on plea of guilty, six dollars, and in all convictions in the circuit court for crimes less than felony, on plea of not guilty, six dollars, on plea of guilty, five dollars, to be collected and paid as other costs.

"Sec. 2. When necessary and so decided by the board of county commissioners of said county, it shall be the duty of such prosecuting attorney, to examine into and report to said board the condition of any or all of the common school funds of said county, or county business, and when ordered by said board, such prosecuting attorney shall commence and prosecute or defend any suit or suits in which such fund or said county may be interested, for which said board shall allow such attorney such compensation as to them shall seem just and right for each of such duties by said board required of such prosecuting attorney, as in this section specified.

"Sec. 4. Said county board may from time to time, for the du-

ties required of such prosecuting attorney, and which are not specified in the second section of this act, make to such prosecuting attorney such allowances as to them shall seem just and right, not to exceed in the aggregate fifty dollars per annum.

"Sec. 5. This act to take effect and be in force from and after its passage;"

Which amendment was concurred in.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Rippey, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition of sundry citizens of Elkhart county, on the subject of Seminary funds, have had that subject under consideration, and have directed me to report the following bill, and ask to be discharged from further consideration :

No. 356. A bill for the division of certain school funds to the seminary funds in the county of Elkhart ;

Was read a first time and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and referred to the committee on education.

Mr. Hill, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition of many citizens of Clinton county, relative to the construction of a railroad from the town of Frankfort, Clinton county, to intersect the Indianapolis and Lafayette railroad at some point between Thorntown, Boone county, and Lafayette, Tippecanoe county, have had that subject under consideration, and have directed me to report the following bill and recommend its passage, and ask to be discharged :

No. 357. A bill to incorporate the Frankfort Railroad Company ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Kelso, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Sarah Holliday and others, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 358. A bill to vacate a certain road in the county of Switzerland ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Kelso, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petitions and remonstrances for and against a removal of the seat of justice of the county of Switzerland, have had that subject under consideration, and find the parties nearly balanced—say a majority of less than fifty, in favor of the remonstrance.

On the other hand, your committee, by an examination of the map of Switzerland county, find the seat of justice located at present, about seven miles from the geographical centre of the county, and about eight miles below the centre, on the Ohio river; and for the purpose of settling this matter at home, among those most interested, if possible, said committee have directed me to report the following bill, and recommend its passage :

No. 359. A bill to authorize the voters of Switzerland county to determine the county seat of said county, and to fix the same.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Tuttle, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Marshall county, on the subject of a grave-yard, have had the same under consideration, and authorize me to report the following bill, in conformity with the prayer of said petition, and recommend its passage.

No. 360. A bill setting apart two acres of ground in Marshall county, for a burying ground.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Smith, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred a petition from certain citizens of Scott county, in relation to the repeal of an act passed at the session of 1846-7, entitled "an act to prohibit the county court of Scott county from levying a tax therein named, have had the same under consideration, and directed me to report the following bill, and recommend its passage :

No. 361. A bill to repeal an act therein named.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Wood, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred the petition of John Smith of Randolph county, praying for a divorce, have had the same under consideration, and have directed me to report, that from the action of this General Assembly at the present session, on the above subject, it would be useless to trouble the House on the subject farther, therefore, we respectfully desire to be discharged.

Which report was concurred in.

Mr. Dawson, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Steuben county, in relation to the publication of delinquent lots in said county, have had the same under consideration, and have directed me to report the following bill, and recommend its passage.

No. 362. A bill to amend the act approved 15th January, 1844, in relation to the publication of delinquent lists, so far as relates to the counties of Steuben and DeKalb.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ryan, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of Caleb White and others, praying for the vacation of the town of Mount Pleasant, in Madison county, have had the same under consideration, and directed me to report the accompany bill, and recommend its passage :

No. 363. A bill vacating the town of Mount Pleasant, in the county of Madison.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Donohue, from a select committee, made the following report :

MR. SPEAKER :

The committee, to whom was referred the petition of A. D. Billingsly and four hundred and thirty-six other citizens of Putnam county, praying for a change of the Treasurer's office, and Auditor's office of said county, and a re-valuation of fees and salaries generally, have had the same under consideration, and have directed me to make the following report :

That special legislation on any subject affecting the Revenue of the State, would be highly improper ; that while they all agree that there is good and sufficient reasons for the people to ask for, and require their Representatives, to use economy, in every possible manner, yet, there should be uniformity sufficient to secure the faithful collection of that portion of the Revenue which is payable to the State.

Which report was concurred in.

Mr. Hill, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred a petition of John Condra and others, relative to improvements on the sixteenth section of township twenty-three, range three east, in Howard county, have had that subject under advisement, and have directed me to report the following bill, and recommend its passage :

No. 364. A bill for the relief of John Condra and others.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered,* That the Clerk inform the Senate thereof.

Mr. Bryant, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred bill of the House, No. 66, have had the same under consideration, and have instructed me to report the same back to the House, and recommend its passage :

No. 66. A bill relating to certain officers in the county of Dearborn.

On motion,

The rules were suspended, and the bill was read a third time, and passed.

*Ordered,* That the Clerk inform the Senate thereof.

Mr. Bryant, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred the very numerous petitions and remonstrances which have been presented to the House on the subject of the retailing of ardent spirits, have had the subject thereof under consideration, and have directed me to report, that in the opinion of the committee any attempts to produce social reforms, by means of legislative enactments, will fail in accomplishing the results which their advocates design, that public sentiment has already been very effective in producing a salutary reform in the customs and habits of the community in reference to the use of intoxicating liquors as a pledge of hospitality and friendship; and the numerous applications to the Legislature at the present session show that this public sentiment is gathering strength, and will be yet more effective. The memorialists differ very materially in the remedies which they propose to the Legislature. Your committee, however, concur in one opinion, and that is, that the people should have the power to determine for themselves in every community whether they will have licensed venders among them of intoxicating liquors, and have directed me to report the accompanying bill, which, with the bill which has already passed this House, giving to justices of the peace jurisdiction in cases of infractions of the license law, your committee conceive it to be all that is required at present of this Legislature, and ask to be discharged from the further consideration of the subject:

No. 365. A bill to amend an act, entitled "An act to authorize the people of the several townships in the several counties to prohibit the retailing of spirituous liquors," approved Jan. 28, 1847;

Which was read a first time, and passed to a second reading.

The rules having been suspended, the bill was read a second time.

On motion by Mr. Edmonston,

The county of Dubois was excepted from the provisions of the bill.

On motion by Mr. Hunt,

The county of Laporte was excepted from the provisions of the bill.

On motion by Mr. Winstandley,

The county of Floyd was excepted from the provisions of the bill.

On motion by Mr. Withers,

The county of Pike was excepted from the provisions of the bill.

On motion by Mr. Cravens,

The county of Washington was excepted from the provisions of the bill.

On motion by Mr. Jones of Huntington,

The counties of Huntington and Whitley were excepted from the provisions of the bill.

On motion by Mr. Dowling,

The county of Vigo was excepted from the provisions of the bill. Mr. Rousseau offered the following amendment :

Amend by inserting at the proper place—

“Until a majority of all the votes cast at any such election upon said question.”

Mr. Edmonston moved to lay the bill and amendment on the table.

The ayes and noes being demanded by Messrs. Kelso and Wolfe :

*Those who voted in the affirmative are,*

Messrs. Allen, Buskirk, Casselberry, Chambers, Cravens, Dobson, Dowling, Drake, Edmonston, Edwards, Harlan, Hicks, James, Jones of Bartholomew, Jones of Huntington, Mills, Morgan, Nicholson, Riley, Rousseau, Ryan, and Withers—22.

*Those who voted in the negative are,*

Messrs. Alexander, Blakemore, Brady, Bryant, Bundy, Caldwell, Cockrum, Cox, Decker, Donnouhe, Dougherty of Boone, Dougherty of Morgan, Dunn, Duvall, Frazer, Ford, Gessie, Gillum, Goodwin, Graham, Hendricks, Hill, Howell, Huckleberry, Huddleston, Hunt, Jackman, Johnson of Dearborn, Johnston of Putnam, Julian, Kelley, Kelso, Line, Maddox, Meacham, Meredith, Miller, Odell, Orr, Osborn, Parker of Brown, Pierce, Place, Rice, Rifner, Rippey, Ross of Miami, Ross of Wabash, Shaw, Smith, Stanton, Starbuck, Tuttle, Vance, Vawter, Wade, Webster, Winstandley, Wolfe, Wood, Young, and Mr. Speaker—62.

So the bill and amendment was not laid on the table.

Mr. Kelley moved to reconsider the vote excepting the county of Dubois from the provisions of the bill.

Which motion did not prevail.

The question recurring on the adoption of the amendment offered by Mr. Rousseau,

Was decided in the affirmative.

Mr. Dowling offered the following amendment:

Add after the repealing clause as follows—

"Except so far as it refers to the counties exempted in the present act, which are hereby declared to have all the provisions of former acts extended to them."

Which was adopted.

On motion by Mr. Mills,

The county of Posey was excepted from the provisions of the bill.

On motion by Mr. James,

The county of Vanderburgh was excepted from the provisions of the bill.

On motion by Mr. Ryan,

The county of Madison was excepted from the provisions of the bill.

On motion by Mr. Chambers,

The county of Warrick was excepted from the provision of the bill.

On motion by Mr. Wilson,

The county of Harrison was excepted from the provisions of the bill.

On motion by Mr. Bundy,

The county of Henry was excepted from the provisions of the bill.

On motion by Mr. Huddleston,

The county of Rush was excepted from the provisions of the bill.

On motion by Mr. Nicholson,

The county of Montgomery was excepted from the provisions of the bill.

On motion by Mr. Ford,

The county of Jackson was excepted from the provisions of the bill.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Vawter, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Delaware county praying the enactment of a law appropriating for common school purposes all the State and county tax assessed upon the sixteenth section in said county of Delaware, have had the same under consideration, and a majority of the said committee have instructed me to report that it is inexpedient to

grant the prayer of the petitioners. The committee ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Orr, from the same committee, made the following report on the part of a minority :

MR. SPEAKER :

A minority of the select committee to whom was referred a petition of sundry citizens of Delaware county on the subject of the 16th or school district, beg leave to report, that, *Whereas*, Congress did by an act approved April the 19th, 1816, appropriate sections numbered 16, in each township of this State, for the use of schools in said township; *AND, WHEREAS*, the minority of said committee is of the opinion that it was never intended that said section should be a source of revenue in any way whatever to this State, but that the whole proceeds of the same should be applied to the schools in said township; *AND, WHEREAS*, the State and the different counties have been directing a large portion of actual proceeds of said section out of their legitimate channel in the shape of taxes: THEREFORE, a minority of your company dissent from the report of the majority.

SAMUEL ORR.

Mr. Vawter, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Jefferson and Jennings counties, praying for a change of a certain road therein named, have had the same under consideration, and directed me to report the following bill and recommend its passage.

No. 366. A bill to change a certain road therein named, in the counties of Jefferson and Jennings;

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

On motion by Mr. Wilson,

The bill was referred to the committee on roads.

Mr. Buskirk, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of Rachel Blair, praying for an amendment to an act empowering Rachel Blair, administratrix of the estate of Enos Blair, deceased, former collector of Monroe county, to collect arrears of taxes, approved January 19th, 1846, have had the same under consideration, and have directed me to report the following bill and recommend its passage.

No. 367. A bill to amend "an act empowering Rachel Blair, administratrix of the estate of Enos Blair, deceased, former collector

of Monroe county, to collect arrears of taxes, approved January 19, 1846;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Harlan moved that leave of absence be granted to Mr. Dawson;

Which motion did not prevail.

On motion by Mr. Miller,

Leave of absence was granted to Mr. Place.

Mr. Wolfe moved that leave of absence be granted to Mr. Kelley; Which motion did not prevail.

Mr. Blakemore moved that leave of absence be granted to Mr. Frazer;

Which motion did not prevail.

Mr. Kelso, on leave, offered the following resolution :

*Resolved*, That this House will, the Senate concurring, suspend the operations of a resolution of both branches of this General Assembly heretofore passed, fixing the 16th of January, 1849, as the day of adjournment, and that the present session of this General Assembly shall continue until Saturday the 20th day of January, 1849, and no longer, and that the said resolution, the operations whereof are hereby suspended, shall be in full force and effect on the said 20th day of January, 1849.

Mr. Ford moved to amend by inserting "Monday the 22d," in lieu of "Saturday the 20th."

Which amendment was accepted by Mr. Kelso.

Mr. Barbour moved to strike out "Monday the 22d," and insert "Thursday the 18th," which motion did not prevail.

The question recurring on the adoption of the resolution ;

The ayes and noes being demanded by Messrs. Huddleston and Miller,

*Those who voted in the affirmative are :*

Messrs. Alden, Alexander, Barbour, Blakemore, Brady, Bryant, Caldwell, Cockrum, Cravens, Dobson, Dowling, Drake, Dunn, Duvall, Edwards, Ford, Gillum, Graham, Hill, Johnson, of Dearborn, Johnston of Putnam, Jones of Huntington, Kelso, Line, Lozier, Maddox, Meredith, Odell, Orr, Pierce, Place, Rice, Riley, Ross of Miami, Ross of Wabash, Rousseau, Ryan, Shaw, Smith, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Young, and Mr. Speaker—48.

*Those who voted in the negative are :*

Messrs. Allen, Bundy, Buskirk, Casselberry, Chambers, Cox, Decker, Donnohue, Dougherty of Boone, Dougherty of Morgan, Frazer, Goodwin, Harlan, Hendricks, Hicks, Howell, Huckleberry, Huddles-

ton, Hunt, Jackman, James, Jones, of Huntington, Kelley, Miller, Mills, Morgan, Nicholson, Osborn, Parker of Brown, Rifner, Rippey, Starbuck, Winstandley, Wolfe, and Wood—35.

So the resolution was adopted.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Johnston of Putnam,  
The House adjourned.

*Two o'clock, P. M.*

The House met.

Mr. Harlan, chairman of the committee on ways and means, on leave, made the following report:

**Mrs. SPEAKER :**

The committee of Ways and Means, whose duty it is to examine the books of the offices of Auditor and Treasurer of State, and compare the books, vouchers, and warrants in said offices, prepare a statement of the receipts and expenditures at the Treasury, and to examine into the financial affairs of the State generally, submit the following report:

The committee have made a thorough examination of the books of said officers, and found the vouchers of receipts at the Treasury, and warrants on the Treasury correctly audited and properly filed. All warrants upon the Treasury have been punctually paid when presented. The committee would remark that during their examinations aforesaid, every facility was afforded them by the incumbents of those offices, for a speedy and faithful discharge of their duties.

From the examination of the committee into the condition of the Treasury, it appears that there was remaining in the Treasury on the 1st day of January, 1849, provided all warrants issued had been redeemed, the sum of \$439,774 02.

A statement of the receipts and expenditures showing said balance, is herewith submitted as a part of this report, and marked statement "A."

It became the duty of the committee to count, mutilate, and destroy a considerable amount of scrip of various kinds, which had been redeemed at the Treasury, and cancelled during the year. This duty they discharged, and now show the following abstract of the scrip so destroyed:

### Of six per cent. Treasury Notes.

|            |   |   |   |   |             |
|------------|---|---|---|---|-------------|
| Principal, | - | - | - | - | \$62,740 00 |
| Interest,  | - | - | - | - | 27,661 66   |
|            |   |   |   |   | <hr/>       |
|            |   |   |   |   | \$90,401 66 |

|                                            |                           |
|--------------------------------------------|---------------------------|
| Of $\frac{1}{2}$ per cent. Treasury Notes. |                           |
| Principal,                                 | - - - - -                 |
| Interest,                                  | - - - - -                 |
|                                            | <u>\$31,565 00</u>        |
|                                            | 369 79                    |
|                                            | <u><u>\$31,934 79</u></u> |
| Of Wabash and Erie canal scrip east.       |                           |
| Principal,                                 | - - - - -                 |
| Interest,                                  | - - - - -                 |
|                                            | <u>41,667 06</u>          |
|                                            | 6,838 26                  |
|                                            | <u><u>48,505 32</u></u>   |
| Of Wabash and Erie canal scrip west.       |                           |
| Principal,                                 | - - - - -                 |
|                                            | <u>36,985 00</u>          |
|                                            | <u><u>36,985 00</u></u>   |
| Of Bank scrip five per cent.               |                           |
| Principal,                                 | - - - - -                 |
| Interest,                                  | - - - - -                 |
|                                            | <u>56,350 00</u>          |
|                                            | 16,679 60                 |
|                                            | <u><u>73,029 60</u></u>   |

Making of State liabilities counted and destroyed by the committee the sum of \$280,856 37; of which several kinds of scrip schedules are hereunto appended, marked statement "B."

The rate of taxes directed to be assessed and collected for State purposes proper and for the Hospital for the Insane, Asylum for the Deaf and Dumb, and Education of the Blind, amounting in the aggregate to thirty cents on each one hundred dollars in value of property, and seventy-five cents for each poll, was by the committee preserved at the same rate as last year; and the bill to raise revenue for 1849 was reported accordingly to the House of Representatives.

The committee deem it necessary to suggest that in their opinion the present mode of assessing is very imperfect, and the duties devolving on the assessors are scarcely ever executed with that diligence, care, and impartiality which the law and the people have a right to expect and demand of them. To remedy which, so far as the time of the committee and pressure of the business of the session would allow, a bill has been drawn up and submitted to the House. Should that bill become a law, it is believed that an increase of between forty and seventy millions of dollars will be added to the list of taxables in the State, so soon as the same is enforced. An object which so immediately effects the interest of every citizen of the State ought not to be overlooked and disregarded, especially at a time when all the sources of revenue should be reached, to lessen and equalize the burdens of taxation.

In submitting to the General Assembly a bill for raising revenue for 1849, the committee endeavored to make an estimate of the resources of the State, and her ability to discharge her liabilities, and did establish the assessment of revenue upon the following estimate:

|                                     |   |   |               |
|-------------------------------------|---|---|---------------|
| Supposed value of taxables in 1849, | - | - | \$130,000,000 |
| Supposed number of polls in 1849,   | - | - | 140,000       |
|                                     |   |   | 130,140,000   |

|                                                                                          |           |
|------------------------------------------------------------------------------------------|-----------|
| Assessments on the above value at 25 cents<br>on every \$100, - - - - -                  | \$325,000 |
| Assessments on same of 5 cents for Deaf and<br>Dumb, Blind, and Insane Asylum, - - - - - | 65,000    |
| Assessments on Polls, - - - - -                                                          | 105,000   |
|                                                                                          | <hr/>     |
|                                                                                          | 495,000   |
| Deduct for delinquencies, charges, &c., - - - - -                                        | 100,000   |
|                                                                                          | <hr/>     |
|                                                                                          | 395,000   |
| Add for collections of delinquencies, Bank<br>and Individual stocks, &c., - - - - -      | 50,000    |
|                                                                                          | <hr/>     |
|                                                                                          | \$445,000 |

|                                                                                                                   |          |
|-------------------------------------------------------------------------------------------------------------------|----------|
| Probable demands upon the Treasury to meet<br>loan from bank to pay interest of July, 1849,<br>suppose, - - - - - | 25,000   |
| To meet interest on State debt for 1849, - - - - -                                                                | 190,000  |
| To redeem scrip and interest, - - - - -                                                                           | 100,000  |
| To expenses Deaf and Dumb, Insane, and<br>Blind Asylums, - - - - -                                                | 65,000   |
| To meet Trust funds, - - - - -                                                                                    | 10,000   |
| To meet current expenses, - - - - -                                                                               | 72,000   |
|                                                                                                                   | <hr/>    |
|                                                                                                                   | 462,000  |
| Deduct receipts, - - - - -                                                                                        | 445,000  |
|                                                                                                                   | <hr/>    |
|                                                                                                                   | \$17,000 |

The committee conceived that instead of increasing the amount of revenue, it would be preferable to make a temporary loan of the above small sum to meet the July interest, 1850.

#### STATEMENT A.

The following statement shows the amount of receipts and expenditures at the Treasury of State, from the 1st of November, 1847, to the 31st of October, 1848, inclusive, and includes that portion of the receipts and expenditures which was reported by the committee of last session as having accrued from Nov. 1st, 1847, to January 1st, 1848.

|                                                                        |            |
|------------------------------------------------------------------------|------------|
| Balance in the Treasury on the 1st day of November,<br>1847, - - - - - | 427,981 21 |
|------------------------------------------------------------------------|------------|

## RECEIPTS.

|                                           |   |   |   |   |         |       |
|-------------------------------------------|---|---|---|---|---------|-------|
| On account of Revenue of 1839,            | - | - | - | - | 225     | 00    |
| On account of Revenue of 1843,            | - | - | - | - | 294     | 51    |
| On account of Revenue of 1845,            | - | - | - | - | 1,196   | 94    |
| On account of Revenue of 1846,            | - | - | - | - | 37,423  | 79    |
| On account of Revenue of 1847,            | - | - | - | - | 375,022 | 17    |
| On account of Delinquent Revenue of 1847, | - | - | - | - | 217     | 76    |
|                                           |   |   |   |   |         | <hr/> |
|                                           |   |   |   |   | 414,380 | 17    |

|                                            |   |   |   |     |    |
|--------------------------------------------|---|---|---|-----|----|
| On account of estates without known heirs, | - | - | - | 104 | 00 |
|--------------------------------------------|---|---|---|-----|----|

## ON ACCOUNT OF STATE UNIVERSITY FUNDS.

|                                          |   |   |       |    |       |    |
|------------------------------------------|---|---|-------|----|-------|----|
| For principal of sales of lands,         | - | - | 1,090 | 18 |       |    |
| For interest on sales of lands,          | - | - | 788   | 03 |       |    |
| For loans refunded,                      | - | - | 4,300 | 44 |       |    |
| For interest on loans,                   | - | - | 3,611 | 48 |       |    |
| For damages on sales of mortgaged lands, |   |   | 113   | 14 |       |    |
| For costs of advertising,                | - | - | 17    | 75 |       |    |
|                                          |   |   |       |    | <hr/> |    |
|                                          |   |   |       |    | 9,921 | 02 |

## ON ACCOUNT OF SALINE FUNDS.

|                                 |   |   |       |    |       |    |
|---------------------------------|---|---|-------|----|-------|----|
| For sales of lands,             | - | - | 821   | 31 |       |    |
| For interest on sales of lands, | - | - | 312   | 95 |       |    |
| For loans refunded,             | - | - | 2,517 | 00 |       |    |
| For interest on loans,          | - | - | 1,785 | 99 |       |    |
| For damages on mortgaged lands, | - |   | 68    | 83 |       |    |
| For costs of advertising,       | - | - | 13    | 00 |       |    |
|                                 |   |   |       |    | <hr/> |    |
|                                 |   |   |       |    | 5,519 | 08 |

## ON ACCOUNT OF BANK TAX FUND.

|                              |   |   |       |    |       |    |
|------------------------------|---|---|-------|----|-------|----|
| For loans refunded,          | - | - | 1,012 | 89 |       |    |
| For interest on loans,       | - | - | 502   | 33 |       |    |
| For tax of Branches of Bank, | - | - | 3,301 | 66 |       |    |
| For costs of advertising,    | - | - | 2     | 00 |       |    |
|                              |   |   |       |    | <hr/> |    |
|                              |   |   |       |    | 4,818 | 88 |

## ON ACCOUNT OF SURPLUS REVENUE FUND.

|                        |   |   |     |    |       |    |
|------------------------|---|---|-----|----|-------|----|
| For loans refunded,    | - | - | 300 | 00 |       |    |
| For interest on loans, | - | - | 318 | 92 |       |    |
|                        |   |   |     |    | <hr/> |    |
|                        |   |   |     |    | 618   | 92 |

## ON ACCOUNT OF INCIDENTAL PAYMENTS.

|                      |      |   |     |    |
|----------------------|------|---|-----|----|
| For amount received, | -    | - | 248 | 50 |
|                      | H 33 |   |     |    |

## ON ACCOUNT OF TREASURY FUND.

|                                          |       |
|------------------------------------------|-------|
| For interest on loans, - - - - -         | 65 15 |
| For damages on sales of mortgaged lands, | 5 14  |
| For costs of advertising, - - - - -      | 3 00  |
|                                          | <hr/> |
|                                          | 73 29 |

## ON ACCOUNT OF INDIANAPOLIS FUND.

|                                  |       |
|----------------------------------|-------|
| For interest on loans, - - - - - | 83 47 |
|----------------------------------|-------|

## ON ACCOUNT OF CONGRESSIONAL TOWN. FUND.

|                                  |        |
|----------------------------------|--------|
| For interest on loans, - - - - - | 115 22 |
|----------------------------------|--------|

## ON ACCOUNT OF COMMON SCHOOL FUND.

|                                            |           |
|--------------------------------------------|-----------|
| From Sinking Fund Commissioners, - - - - - | 70,245 80 |
|--------------------------------------------|-----------|

## ON ACCOUNT OF NEW ALBANY AND VINCENNES ROAD.

|                      |          |
|----------------------|----------|
| For tolls, - - - - - | 3,596 19 |
|----------------------|----------|

## ON ACCOUNT OF NORTHERN DIVISION OF CENTRAL CANAL.

|                            |          |
|----------------------------|----------|
| For water rents, - - - - - | 1,288 63 |
|----------------------------|----------|

## ON ACCOUNT OF WABASH AND ERIE CANAL EAST OF TIPPECANOE.

|                            |           |
|----------------------------|-----------|
| For tolls, - - - - -       | 36,627 50 |
| For water rents, - - - - - | 750 00    |
|                            | <hr/>     |
|                            | 37,377 50 |

## ON ACCOUNT OF SUSPENDED DEBT.

|                                |           |
|--------------------------------|-----------|
| For sundry payments, - - - - - | 94,883 73 |
|--------------------------------|-----------|

## ON ACCOUNT OF WABASH AND ERIE CANAL WEST OF TIPPECANOE.

|                                             |        |
|---------------------------------------------|--------|
| For tolls, - - - - -                        | 296 02 |
| For incidental expenses refunded, - - - - - | 396 74 |
|                                             | <hr/>  |
|                                             | 692 76 |

## ON ACCOUNT OF REVISED STATUTES.

|                      |        |
|----------------------|--------|
| For sales, - - - - - | 312 70 |
|----------------------|--------|

## ON ACCOUNT OF WABASH AND ERIE CANAL TRUSTEES.

|                                                                           |           |
|---------------------------------------------------------------------------|-----------|
| For Wabash and Erie Canal land certificates, east of Lafayette, - - - - - | 42,907 06 |
|---------------------------------------------------------------------------|-----------|

|                                        |         |                |
|----------------------------------------|---------|----------------|
| For interest on same, - - - -          | 7,071   | 20             |
| For Wabash and Erie Canal scrip west,  | 13,135  | 00             |
| For subscriptions by bondholders, - -  | 407,960 | 63             |
| For tolls and water rents, - - -       | 84,731  | 93             |
| For sales of lands, - - -              | 4,776   | 47             |
| For sales of lands at Vincennes, - -   | 31,933  | 06             |
| For interest received on deposits, - - | 8,511   | 15             |
|                                        | 601,026 | 50             |
| Total receipts of year, - - - -        |         | \$1,245,306 36 |

### EXPENDITURES.

|                                                   |        |    |
|---------------------------------------------------|--------|----|
| On account of Revenue of 1845 refunded, - - -     | 82     | 83 |
| On account of Revenue of 1846 refunded, - - -     | 742    | 06 |
| On account of Revenue of 1847 refunded, - - -     | 40     | 27 |
| On account of Legislative expenses, - - -         | 34,234 | 35 |
| On account of Judiciary expenses, - - -           | 13,891 | 57 |
| On account of Probate Judges, - - -               | 5,425  | 00 |
| On account of Specific Appropriations, - - -      | 3,705  | 08 |
| On account of Prosecuting Attorneys' salaries - - | 1,574  | 58 |
| On account of Executive salaries, - - -           | 3,550  | 00 |
| On account of distributing Laws and Journals, - - | 308    | 78 |
| On account of Militia Officers and expenses, - -  | 862    | 61 |
| On account of Convicts to State Prison, - - -     | 3,086  | 00 |
| On account of new State Prison, - - -             | 2,867  | 33 |
| On account of Governor's House, - - -             | 194    | 81 |
| On account of Governor's Circle, - - -            | 22     | 87 |
| On account of Public Printing and Binding, - -    | 6,063  | 64 |
| On account of Stationary and Fuel, - - -          | 4,429  | 10 |
| On account of State Library, - - -                | 1,090  | 16 |
| On account of Presidential Election, 1844, - - -  | 6      | 50 |
| On account of Contingent Fund, - - -              | 323    | 70 |
| On account of State House, - - -                  | 505    | 23 |
| On account of Education of the Blind, - - -       | 9,353  | 37 |
| On account of Asylum for Deaf and Dumb, - -       | 11,765 | 83 |
| On account of Hospital for the Insane, - - -      | 15,897 | 53 |

### ON ACCOUNT OF UNIVERSITY FUND.

|                                        |       |    |
|----------------------------------------|-------|----|
| Loans made, - - - -                    | 4,138 | 00 |
| For Professors' salaries, - - -        | 3,750 | 00 |
| For costs of Advertising, - - -        | 53    | 88 |
| For principal refunded on sales, - - - | 48    | 00 |
| For interest refunded on sales, - - -  | 76    | 92 |
| Interest refunded, - - -               | 11    | 20 |
|                                        | 8,078 | 00 |

## ON ACCOUNT OF SALINE FUND.

|                                 |   |   |       |    |
|---------------------------------|---|---|-------|----|
| Amount distributed to Counties, | - | - | 4,658 | 79 |
| For costs of Advertising,       | - | - | 22    | 15 |
| Principal refunded on sales,    | - | - | 633   | 62 |
| Interest refunded,              | - | - | 21    | 00 |
|                                 |   |   | <hr/> |    |
|                                 |   |   | 5,335 | 56 |

## ON ACCOUNT OF BANK TAX FUND.

|                                 |   |   |       |    |
|---------------------------------|---|---|-------|----|
| Amount distributed to counties, | - | - | 6,062 | 95 |
| Damages on sales refunded,      | - | - | 25    | 00 |
| Costs of Advertising,           | - | - | 14    | 17 |
|                                 |   |   | <hr/> |    |
|                                 |   |   | 6,102 | 12 |

## ON ACCOUNT OF SURPLUS REVENUE FUND.

|                                    |   |   |       |    |
|------------------------------------|---|---|-------|----|
| Principal distributed to counties, | - | - | 177   | 57 |
| Interest distributed to counties,  | - | - | 271   | 14 |
| Costs of Advertising,              | - | - | 2     | 50 |
|                                    |   |   | <hr/> |    |
|                                    |   |   | 451   | 21 |

## ON ACCOUNT OF TREASURY FUND.

|                           |   |   |   |   |   |   |    |
|---------------------------|---|---|---|---|---|---|----|
| For costs of Advertising, | - | - | - | - | - | 2 | 50 |
|---------------------------|---|---|---|---|---|---|----|

## ON ACCOUNT OF CONGRESSIONAL TOWN. FUND.

|                                 |   |   |    |    |       |    |
|---------------------------------|---|---|----|----|-------|----|
| Amount Loans made,              | - | - | -  | -  | 2     | 50 |
| Amount distributed to counties, | - | - | 85 | 26 | <hr/> |    |
|                                 |   |   |    |    | 835   | 26 |

## ON ACCOUNT OF THREE PER CENT. FUND.

|                                 |   |   |   |   |   |     |    |
|---------------------------------|---|---|---|---|---|-----|----|
| Amount distributed to counties, | - | - | - | - | - | 482 | 80 |
|---------------------------------|---|---|---|---|---|-----|----|

ON ACCOUNT OF LAWRENCEBURG AND INDIANAPOLIS  
RAIL ROAD.

|                              |   |   |   |   |   |     |    |
|------------------------------|---|---|---|---|---|-----|----|
| Amount of interest refunded, | - | - | - | - | - | 153 | 75 |
|------------------------------|---|---|---|---|---|-----|----|

## ON ACCOUNT OF NEW ALBANY AND VINCENNES ROAD.

|                          |   |   |   |   |       |    |
|--------------------------|---|---|---|---|-------|----|
| For repairs on road,     | - | - | - | - | 2,330 | 67 |
| For incidental expenses, | - | - | - | - | 1,265 | 52 |
|                          |   |   |   |   | <hr/> |    |
|                          |   |   |   |   | 3,596 | 19 |

## ON ACCOUNT OF NORTH DIVISION CENTRAL CANAL.

|                                    |           |
|------------------------------------|-----------|
| For repairs, - - - - -             | 17,906 55 |
| For incidental expenses, - - - - - | 972 50    |
|                                    | <hr/>     |
|                                    | 18,879 05 |

## ON ACCOUNT OF STATE AGENCY.

|                                   |          |
|-----------------------------------|----------|
| For salaries to agents, - - - - - | 2,766 66 |
|-----------------------------------|----------|

ON ACCOUNT OF WABASH AND ERIE CANAL EAST OF  
TIPPECANOE RIVER.

|                                           |           |
|-------------------------------------------|-----------|
| Amount of damages, - - - - -              | 2,965 00  |
| Amount for repairs, - - - - -             | 41,114 15 |
| For incidental expenses, - - - - -        | 3,420 73  |
| For construction of Northport Feeder Dam, | 4,030 22  |
| Damages of same, - - - - -                | 970 00    |
| Incidental expenses of same, - - - - -    | 259 55    |
| Amount Scrip redeemed and cancelled, - -  | 14,165 45 |
| Interest on Scrip redeemed, - - - - -     | 2,119 24  |
|                                           | <hr/>     |
|                                           | 69,042 33 |

ON ACCOUNT OF WABASH AND ERIE CANAL, WEST OF  
TIPPECANOE.

|                                    |           |
|------------------------------------|-----------|
| Amount of damages, - - - - -       | 1,260 14  |
| For construction, - - - - -        | 11,077 00 |
| For repairs, - - - - -             | 29,023 18 |
| Tolls refunded, - - - - -          | 721 00    |
| For incidental expenses, - - - - - | 4,951 72  |
| Scrip redeemed and cancelled, - -  | 31,425 00 |
|                                    | <hr/>     |
|                                    | 78,458 04 |

## ON ACCOUNT OF SUSPENDED DEBT.

|                                       |           |
|---------------------------------------|-----------|
| Amount sundry payments, - - - - -     | 3,416 48  |
| Amount payments by Agent, - - - - -   | 5,578 18  |
| Amount incidental expenses, - - - - - | 1,455 00  |
|                                       | <hr/>     |
|                                       | 10,449 66 |

|                                         |           |
|-----------------------------------------|-----------|
| State Bonds redeemed and cancelled, - - | 20,000 00 |
| Interest on same, - - - - -             | 5,800 00  |
|                                         | <hr/>     |
|                                         | 25,800 00 |

## ON ACCOUNT OF STATE DEBT.

|                                       |            |
|---------------------------------------|------------|
| For interest on State Debt, - - - - - | 262,330 00 |
| Incidental expenses, - - - - -        | 15,671 03  |
|                                       | <hr/>      |
|                                       | 278,001 03 |

## ON ACCOUNT OF STATE STOCK.

|                                                                     |           |
|---------------------------------------------------------------------|-----------|
| For redemption of two and one-half per cent. State Stock, - - - - - | 17,850 00 |
|---------------------------------------------------------------------|-----------|

## ON ACCOUNT OF SIX PER CENT. TREASURY NOTES.

|                                                       |           |
|-------------------------------------------------------|-----------|
| Amount of principal redeemed and cancelled, - - - - - | 77,580 00 |
| Amount of interest on same, - - - - -                 | 26,788 60 |
| Amount of expenses of same, - - - - -                 | 279 00    |
|                                                       | <hr/>     |
|                                                       | 97,647 60 |

## ON ACCOUNT OF ONE-QUARTER PER CENT. TREASURY NOTES.

|                                          |           |
|------------------------------------------|-----------|
| Amount redeemed and cancelled, - - - - - | 28,750 00 |
|------------------------------------------|-----------|

## ON ACCOUNT OF FIVE PER CENT. TREASURY NOTES.

|                                          |           |
|------------------------------------------|-----------|
| Amount redeemed and cancelled, - - - - - | 56,400 00 |
| Interest on same, - - - - -              | 14,317 58 |
|                                          | <hr/>     |
|                                          | 70,717 58 |

## ON ACCOUNT OF WABASH AND ERIE CANAL WITH TRUSTEES.

|                                                                          |           |
|--------------------------------------------------------------------------|-----------|
| Amount general expenses of Trustees, - - - - -                           | 15,037 42 |
| Amount ordinary expenses of Trustees, - - - - -                          | 6,178 07  |
| Amount expenses of Coal Creek division of<br>W. and E. Canal, - - - - -  | 5 00      |
| Amount of expenses land office of Vincen-<br>nes district, - - - - -     | 893 22    |
| Amount expenses land office E. and W. of<br>Tippecanoe, - - - - -        | 1,854 85  |
| Amount ordinary repairs, - - - - -                                       | 14,364 47 |
| Amount extraordinary repairs, - - - - -                                  | 7,072 14  |
| Amount expenses of Surveys, - - - - -                                    | 3,606 70  |
| Amount for Construction between Coal<br>Creek and Terre Haute, - - - - - | 61,840 00 |
| Amount for construction between Coving-<br>ton and Coal Creek, - - - - - | 4,154 50  |
| Amount expenses of Superintendence, - - - - -                            | 3,032 10  |
| Amount salaries and expenses of toll col-<br>lectors, - - - - -          | 1,797 50  |

|                                                        |                           |
|--------------------------------------------------------|---------------------------|
| Amount ordinary expenses south of Terre Haute,         | 433 00                    |
| Amount interest to subscribers of \$800,000, 16,000 00 | <u>                  </u> |
|                                                        | <u>136,268 97</u>         |

  

|                                                                                        |              |
|----------------------------------------------------------------------------------------|--------------|
| Total amount of expenditures up to Nov. 1, 1848, the end of the fiscal year, - - - - - | \$979,191 48 |
|----------------------------------------------------------------------------------------|--------------|

The following statement exhibits the amount of receipts and expenditures at the Treasury from November 1st, 1848, (the end of the fiscal year,) up to January 1st, 1849 :

RECEIPTS.

|                                                          |                        |
|----------------------------------------------------------|------------------------|
| On account of interest on loans of College fund, -       | \$1,009 27             |
| On account of interest on loans of Saline fund, -        | 262 39                 |
| On account of Bank tax fund, - - - - -                   | 148 65                 |
| On account of College fund, costs of advertising, -      | 32 00                  |
| On account of Revenue of 1848, - - - - -                 | 32,477 04              |
| On account of interest on Congressional Township fund, - | 31 50                  |
| On account of New Albany and Vincennes road, -           | 3,112 45               |
| On account of Bank tax principal refunded, -             | 70 00                  |
| On account of Treasury fund principal refunded, -        | 30 00                  |
| On account of Treasury fund interest, - - - - -          | 3 15                   |
| On account of College fund principal refunded, -         | 708 00                 |
| On account of interest on loans of Surplus Revenue, -    | 25 75                  |
| On account of Surplus Revenue principal refunded, -      | 50 00                  |
| On account of Saline fund principal refunded, -          | 510 00                 |
| On account of Saline fund costs of advertising, -        | 6 00                   |
| On account of Common School fund, - - - - -              | 1,349 60               |
| On account of College fund damages, - - - - -            | 65 00                  |
| On account of incidental expenses, - - - - -             | 3 00                   |
| On account of Bank tax funds, costs of advertising, -    | 4 00                   |
| <br>Total, - - - - -                                     | <br><u>\$39,897 80</u> |

EXPENDITURES.

|                                                 |          |
|-------------------------------------------------|----------|
| On account of the Legislature, - - - - -        | \$15 00  |
| On account of Prosecuting Attorneys, - - - - -  | 95 00    |
| On account of the Judiciary, - - - - -          | 2,600 00 |
| On account of Probate Judges, - - - - -         | 249 00   |
| On account of the State Prison, - - - - -       | 471 12   |
| On account of the new State Prison, - - - - -   | 184 00   |
| On account of Professor's salaries, - - - - -   | 925 00   |
| On account of loans of College fund, - - - - -  | 500 00   |
| On account of Presidential Elections, - - - - - | 528 72   |
| On account of public printing, - - - - -        | 835 25   |

|                                                                 |                        |
|-----------------------------------------------------------------|------------------------|
| On account of the Executive, - - - - -                          | \$1,575 00             |
| On account of expenses New Albany and Vincennes road, - - - - - | 638 86                 |
| On account of repairs New Albany and Vincennes road, - - - - -  | 2,473 50               |
| On account of distributing Laws and Journals, - - - - -         | 75 50                  |
| On account of the Militia, - - - - -                            | 25 00                  |
| On account of the Education of the Blind, - - - - -             | 3,000 00               |
| On account of Revenue of 1848 refunded, - - - - -               | 15 67                  |
| On account of Asylum for the Insane, - - - - -                  | 300 00                 |
| On account of loan of Congressional Township fund, - - - - -    | 200 00                 |
| <br>Total, - - - - -                                            | <br><u>\$14,706 71</u> |

Balance in the Treasury Nov. 1st, 1847, \$427,981 31

Amount received at Treasury from Nov.

1st, 1847, to Oct. 31st, 1848, - - - 1,245,306 36

Amount received from Nov. 1st, 1848,

to January 1st, 1849, - - - - - 39,897 80

\$1,713,185 37

Amount of expenditures from Nov. 1st,

1847, up to Oct. 31st, 1848, - - - \$979,191 48

Amount of expenditures from Nov. 1st,

1848, to January 1st, 1849, - - - 14,706 71

Total expenditure up to January 1st, 1849, 993,898 19

Balance in the Treasury on the 1st day of January,

1849, - - - - - \$719,287 18

## STATEMENT B.

The Committee of Ways and Means have counted, mutilated, and burnt, of the funds found in the Treasury, the following descriptions and amounts of the Scrip of various kinds which had been redeemed and cancelled at the Treasury, to-wit:

### *Of Six Per Cent. Treasury Notes.*

| No.<br>of<br>pack | Date.               | Denomi-<br>nation. | No. of<br>Bills. | Principal. | Interest. | Total.  |
|-------------------|---------------------|--------------------|------------------|------------|-----------|---------|
| 1                 | April 20, 1840,     | \$5                | 1000             | 5000       | 00        | 7260 00 |
| 2                 | April 20, 1840,     | -                  | 5                | 5000       | 00        | 7260 00 |
| 3                 | April 20, 1840,     | -                  | 5                | 5000       | 00        | 7260 00 |
| 4                 | April 20, 1840,     | -                  | 5                | 5000       | 00        | 7260 00 |
| 5                 | April 20, 1840,     | -                  | 5                | 5000       | 00        | 7260 00 |
| 6                 | April 20, 1840,     | -                  | 5                | 5000       | 00        | 7260 00 |
| 7                 | September 20, 1840, | -                  | 5                | 829        | 4145 00   | 1873 54 |
| 8                 | February 10, 1841,  | -                  | 5                | 830        | 4150 00   | 1767 90 |
| 9                 | April 1, 1841,      | -                  | 5                | 154        | 770 00    | 311 08  |
| 10                | May 1, 1841,        | -                  | 5                | 59         | 295 00    | 116 82  |
| 11                | June 1, 1841,       | -                  | 5                | 72         | 360 00    | 140 40  |
| 12                | July 1, 1841,       | -                  | 5                | 41         | 205 00    | 79 13   |
| 13                | September 1, 1841,  | -                  | 5                | 308        | 1540 00   | 585 20  |
| 14                | October 1, 1841,    | -                  | 5                | 109        | 545 00    | 201 65  |
| 15                | November 1, 1841,   | -                  | 5                | 126        | 630 00    | 229 32  |
| 16                | December 1, 1841,   | -                  | 5                | 171        | 855 00    | 307 80  |
|                   |                     |                    | 5                | 107        | 535 00    | 189 39  |
|                   |                     |                    |                  |            |           | 724 39  |
|                   |                     |                    |                  |            |           | 521     |

|    |                     |   |   |   |   |    |           |             |         |             |
|----|---------------------|---|---|---|---|----|-----------|-------------|---------|-------------|
| 17 | January 1, 1842,    | - | - | - | - | 5  | 162       | 810 00      | 283 50  | 1093 50     |
| 18 | April 20, 1840,     | - | - | - | - | 50 | 395       | 19750 00    | 8939 10 | 28669 10    |
| 18 | September 20, 1840, | - | - | - | - | 50 | 57        | 2850 00     | 1215 81 | 4065 81     |
| 18 | February 10, 1841,  | - | - | - | - | 50 | 6         | 300 00      | 121 02  | 421 02      |
|    |                     |   |   |   |   |    | 62,740 00 | \$27,661 66 |         | \$90,401 66 |

*Of the Quarter Per Cent. Treasury Notes.*

|   |                   |   |   |   |   |      |         |              |         |
|---|-------------------|---|---|---|---|------|---------|--------------|---------|
| 1 | February 1, 1842, | - | - | - | 5 | 631  | 3155 00 | No interest. | 3155 00 |
| 2 |                   |   |   |   | 5 | 1394 | 6970 00 | 69 70        | 7039 70 |
| 3 |                   |   |   |   | 5 | 1000 | 5000 00 | 70 00        | 5070 00 |
| 4 |                   |   |   |   | 5 | 1000 | 5000 00 | 70 00        | 5070 00 |
| 5 |                   |   |   |   | 5 | 1000 | 5000 00 | 70 00        | 5070 00 |
| 6 |                   |   |   |   | 5 | 1287 | 6435 00 | 90 09        | 6525 09 |
| 7 |                   |   |   |   | 1 |      | 5 00    | 5 00         |         |

|           |          |             |
|-----------|----------|-------------|
| 31,555 00 | \$369 79 | \$31,934 79 |
|-----------|----------|-------------|

*Of Wabash and Erie Canal Scrip East.*

| <i>No. of Pack.</i> | <i>Denomination.</i> | <i>No. of Bills.</i> | <i>Principal</i> | <i>Interest.</i> | <i>Total.</i> |
|---------------------|----------------------|----------------------|------------------|------------------|---------------|
| 1                   | 5                    | 1,000                | 5,000 00         | 820 00           | 5,820 00      |
| 2                   | 5                    | 1,000                | 5,000 00         | 820 00           | 5,820 00      |
| 3                   | 5                    | 1,000                | 5,000 00         | 820 00           | 5,820 00      |
| 4                   | 5                    | 1,000                | 5,000 00         | 820 00           | 5,820 00      |
| 5                   | 5                    | 1,000                | 5,000 00         | 820 00           | 5,820 00      |
| 6                   | 5                    | 1,000                | 5,000 00         | 820 00           | 5,820 00      |
| 7                   | 5                    | 1,000                | 5,000 00         | 820 00           | 5,820 00      |
| 8                   | 5                    | 906                  | 4,530 00         | 742 92           | 5,272 92      |
| 9                   | 10                   | 65                   | 650 00           | 108 55           | 758 55        |
| 10                  | 10                   | 142                  | 1,420 00         | 235 72           | 1,655 72      |
| 573                 |                      | 1                    | 12 00            | 2 00             | 14 00         |
| 786                 |                      | 1                    | 4 01             | 67               | 4 68          |
| 2,469               |                      | 1                    | 13 73            | 2 30             | 16 03         |
| 2,834               |                      | 1                    | 7 71             | 1 25             | 8 96          |
| 3,934               |                      | 1                    | 13 91            | 2 32             | 16 23         |
| 5,993               |                      | 1                    | 5 00             | 83               | 5 83          |
| 6,980               |                      | 1                    | 10 70            | 1 70             | 12 40         |
|                     |                      |                      | 41,667 06        | 6,838 26         | 48,505 32     |

*Of Wabash and Erie Canal Scrip West.*

| <i>No. of Pack.</i> | <i>Denomination.</i> | <i>No. of Bills.</i> | <i>Amount.</i> |
|---------------------|----------------------|----------------------|----------------|
| 1                   | 5                    | 1,000                | 5,000 00       |
| 2                   | 5                    | 1,000                | 5,000 00       |
| 3                   | 5                    | 1,000                | 5,000 00       |
| 4                   | 5                    | 1,000                | 5,000 00       |
| 5                   | 5                    | 1,000                | 5,000 00       |
| 6                   | 5                    | 1,000                | 5,000 00       |
| 7                   | 5                    | 803                  | 4,015 00       |
| 8                   | 5                    |                      | 2,470 00       |
| Additional in 5     | 5                    | 100                  | 500 00         |
|                     |                      |                      | 36,985 00      |

Cancelled September, 1848.

*Bank Scrip Five per Cent.*

| <i>No. of Pack.</i> | <i>Bills.</i> | <i>Principal.</i> | <i>Interest.</i> | <i>Total.</i> |
|---------------------|---------------|-------------------|------------------|---------------|
| 1                   | 1,000         | 5,000 00          | 1,480 00         | 6,480 00      |
| 2                   | 1,000         | 5,000 00          | 1,480 00         | 6,480 00      |
| 3                   | 1,000         | 5,000 00          | 1,480 00         | 6,480 00      |
| 4                   | 1,000         | 5,000 00          | 1,480 00         | 6,480 00      |
| 5                   | 1,000         | 5,000 00          | 1,480 00         | 6,480 00      |
| 6                   | 1,000         | 5,000 00          | 1,480 00         | 6,480 00      |
| 7                   | 1,000         | 5,000 00          | 1,480 00         | 6,480 00      |
| 8                   | 1,000         | 5,000 00          | 1,480 00         | 6,480 00      |
| 9                   | 1,000         | 5,000 00          | 1,480 00         | 6,480 00      |
| 10                  | 1,000         | 5,000 00          | 1,480 00         | 6,480 00      |
| 11                  | 1,000         | 5,000 00          | 1,480 00         | 6,480 00      |
| 12                  | 270           | 1,350 00          | 399 60           | 1,749 60      |
|                     |               | \$56,350 00       | \$16,679 60      | \$73,029 60   |

Interest on each \$5,00 bill averaged at \$1,48.

Mr. Hendricks moved to lay the report on the table and print 500 copies.

Mr. Brady calling for a division of the question, the motion to lay on the table was decided in the affirmative.

The question then being taken on printing 500 copies, was decided in the negative.

Mr. Dobson moved to print 300 copies;

Which was decided in the negative.

Mr. Line moved to print 200 copies;

Which motion prevailed.

A message from His Excellency, the Governor, by Mr. Carr, the Executive messenger :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that on yesterday he approved and signed the following bills, viz :

No. 99. An act to reduce the fees and salaries of county officers in the county of Blackford ;

No. 26. An act to authorize the judge of the probate court of St. Joseph county to grant and try writs of habeas corpus, and for other purposes ;

No. 240. An act authorizing the auditor of Clinton county to make a deed in a certain case ;

No. 197. An act to amend an act entitled "an act to authorize the election of a justice of the peace and a constable in the town of New Trenton in the county of Franklin;"

No. 282. An act to incorporate the Knox Insurance company;

No. 107. A preamble and joint resolution relative to the reduction of the price of public land in the great Miami National Reserve;

No. 233. An act levying a tax on the inhabitants of the town of Marion, and the additions thereto, and upon persons owning real estate therein;

No. 102. An act to regulate the times of holding courts in the fifth judicial circuit;

No. 247. An act to authorize a company to construct a turnpike road from the point where the present State road leading from Oxford to Connersville crosses the State line of Ohio and Indiana, to Connersville;

No. 51. An act to authorize a company to construct the Milton and Aurora Turnpike;

No. 3. An act to incorporate the Williamsburgh and Centreville Turnpike company;

No. 7. An act to amend an act entitled "an act to incorporate the College Corner and Liberty Turnpike company, and the Liberty and Abington Turnpike company," approved January 15, 1844;

No. 38. An act to vacate a part of a certain road in the county of Dearborn;

No. 157. An act relative to the seminary fund in the county of Cass;

No. 155. An act to prevent the sale of spirituous liquors in Dalton township, Wayne county;

No. 156. An act to repeal a certain law therein named, so far as relates to the county of Elkhart;

No. 243. An act in relation to roads and highways in Brown county;

No. 165. An act to prevent the poisoning of fish in the county of Greene;

No. 178. An act repealing the several acts exempting soldiers of the Mexican war from the payment of taxes;

No. 164. An act to locate a State road in Lagrange and Elkhart counties;

No. 158. An act to locate a State road in the counties of Allen and De Kalb;

No. 143. An act to amend "an act for the government of the Indiana Hospital for the Insane," approved February 15, 1848;

No. 172. An act for the relief of widows;

No. 170. A joint resolution relative to land selected by the State for canal purposes;

No. 182. An act to provide for the election of township assessors in the county of Scott;

No. 146. An act to incorporate the Mt. Carmel and Harrison turnpike company;

No. 162. An act to amend an act entitled "an act to incorporate the Rushville and Lawrenceburgh Railroad company," passed at the thirty-second session of the General Assembly of the State of Indiana;

No. 220. An act for the relief of Andrew Shaw;

No. 44. An act authorizing the recorders of Franklin and Switzerland and Knox counties to make out a general index;

No. 185. An act relative to the jurisdiction of justices of the peace in criminal cases;

No. 104. An act amendatory of an act entitled "an act to incorporate the Michigan Road company," approved January 13, 1845, and "an act to incorporate the Michigan road company," approved January 13, 1845, approved January 19, 1846;

No. 189. An act to amend an act entitled "an act to incorporate the Henry county turnpike company," approved Dec. 5, 1848;

No. 175. A joint resolution in relation to the Lafayette, Monticello, and Michigan City Railroad;

Nor 110. An act to incorporate the Perrysville and Danville and Perrysville and Georgetown Plank Road companies;

No. 332. An act incorporating the Rochester and Montezuma Plank road company;

All of which originated in the House of Representatives.

Mr. Duvall, on leave, introduced a petition from Eli Bundy and others, from the county of Parke, praying that the common school fund to be raised by taxation should be made a county fund;

Which,

On motion by Mr. Miller,

Was laid on the table.

#### ORDERS OF THE DAY.

#### *House Bills on Second Reading.*

No. 280. A bill in relation to the Agent of State for loaning the surplus revenue of Clark county;

Was read a second time, and,

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Harlan moved to take from the table and place on the files of House bill

No. 234. A bill relative to the pay of the probate judge of the county of Grant;

Which was decided in the affirmative.

No. 236. A bill to extend the jurisdiction of justices of the peace in the county of Rush;

Was read a second time, and,

On motion by Mr. Cox,

Laid on the table.

No. 237. A bill to amend an act entitled "an act to extend the jurisdiction of justices of the peace in certain cases," approved February 16, 1848.

Mr. Hendricks moved to refer the bill to the committee on the judiciary;

Which was decided in the affirmative.

No. 245. A bill extending the provisions of chapter 16 of the revised statutes of 1843, to the county of Noble, and for other purposes;

Was read a second time, and

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 246. A bill for the relief of Ebenezer F. Lucas, late superintendent of the Wabash and Erie Canal;

Was read a second time and laid on the table.

No. 251. A bill for the relief of James and Mary Malosh;

Was read a second time,

On motion by Mr. Maddox,

Laid on the table.

No. 253. A bill to dissolve the bonds of matrimony between James K. Spradley and Martha Spradley, of Warrick county;

Was read a second time, and,

On motion by Mr. Miller,

Laid on the table.

No. 255. A bill for the relief of certain citizens of Seminary township, in Gibson county;

Was read a second time, and,

On motion by Mr. Ford,

Laid on the table.

No. 260. A bill to attach additional territory to the county of Laporte, and for other purposes;

Was read a second time and ordered to be engrossed.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 273. A bill to authorize a survey and making of a plat of the town of Troy, Perry county;

Was read a second time and ordered to be engrossed.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 234. A bill in relation to the pay of the probate judge of the county of Grant;

Was read a second time.

The question being on the pending amendment of Mr. Dunn, to insert in the proper place "that said extra sum of one dollar per day shall be paid out of the treasury of Grant county;"

Which amendment was adopted.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ross, of Miami, moved to suspend the order of business and take up bill of the House No. 82, a bill to incorporate the town of Lamasco city, and define the powers of the president and trustees thereof;

Which motion did not prevail.

No. 275. A bill to extend the corporation limits of the city of Madison;

Was read a second time.

Mr. Hendricks moved to lay the bill on the table;

Which motion did not prevail.

The question being on the engrossment of the bill, was decided in the negative.

No. 275. A bill to locate a State road in the county of Switzerland;

Was read a second time.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 275. A bill permitting Polly Garland, an insane person, to be placed in the lunatic asylum;

Was read a second time.

On motion by Mr. Dougherty, of Boone,

The bill was laid on the table.

No. 279. A bill to prevent the sale of spirituous liquors in Posey township, in the county of Rush;

Was read a second time.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 281. A bill to authorize the board of commissioners of the county of Howard to borrow money for a certain purpose;

Was read a second time.

On motion,

The rules were suspended and the bill read a third time and passed.

No. 284. A bill regulating the printing of certain annual reports therein named;

Was read a second time.

Mr. Ross, of Miami, moved to strike out "October," in the first section, and insert "November;"

Which motion prevailed.

Mr. Drake moved to strike out so much as relates to the Governor's Message.

Mr. Ford moved to lay the amendment on the table;

Which motion did not prevail.

The amendment was adopted.

Mr. Blakemore moved to strike out so much as relates to the report of the trustees of the Wabash and Erie canal;

Which motion prevailed.

On motion by Mr. Ross, of Miami,

The bill was laid on the table.

No. 285. A bill to incorporate the Madison Manufacturing and Ship Yard Company;

Was read a second time.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 221. A bill to straighten the line dividing the counties of Lawrence and Jackson;

Was read a second time.

Mr. Ford moved to strike out the bill from the enacting clause, and insert the following :

"That an act entitled an act attaching part of Jackson county to the county of Lawrence," approved Dec. 31, eighteen hundred and twenty-two, (1822,) be and the same is hereby repealed.

"Sec. 2. All laws or parts of laws contravening the provisions of this act be and they are hereby repealed.

"Sec. 3. This act to take effect and be in force from and after its passage."

Which amendment was not adopted.

The bill as amended, was ordered to be engrossed.

Mr. Carr moved to suspend the rules and read the bill a third time.

The ayes and noes being demanded by Messrs. Ford and Rousseau,

*Those who voted in the affirmative are,*

Messrs. Barbour, Blakemore, Brady, Buskirk, Caldwell, Casselberry, Chambers, Decker, Dougherty, of Boone, Dowling, Drake, Duvall, Edmonston, Gessie, Hill, Howell, James, Johnston of Putnam, Kelley, Kelso, Line, Maddox, Mills, Nicholson, Osborn, Parker of Brown, Place, Rippey, Ross of Miami, Ryan, Shaw, Starbuck, Tuttle, Vawter, Webster, Withers, Wood, Young, and Mr. Speaker—39.

*Those who voted in the negative are,*

Messrs. Alden, Alexander, Allen, Cockrum, Cravens, Dougherty of Morgan, Dunn, Edwards, Frazer, Ford, Gillum, Goodwin, Graham, Hankins, Harlan, Hendricks, Huckleberry, Huddleston, Hughes, Hunt, Jackman, Johnson of Dearborn, Jones of Bartholomew, Jones of Huntington, Lozier, Meacham, Meredith, Miller, Morgan, Odell, Orr, Rice, Risner, Riley, Ross, of Wabash, Rousseau, Smith, Stanton, Thompson, Vance, Wilson, Winstandley, and Wolfe—42.

So the rules were not suspended.

*Ordered*, That the Clerk make an entry in the journal, that Mr. Dobson was present and called on to vote on the above question, but refused to vote.

Mr. Brady moved to reconsider the vote on the passage of

No. 82. A bill (House) to incorporate the town of Lainasco City, and define the powers of the President and Trustees thereof;

Which motion did not prevail.

No. 286. A bill to regulate witnesses' fees in the eleventh judicial circuit in this State;

Was read a second time.

Mr. Orr moved to suspend the rules, and read the bill a third time;

Which motion did not prevail.

On motion by Mr. Hendricks,

The bill was laid on the table.

No. 287. A bill to amend the charter of the town of Williamsburgh, in Wayne county;

Was read a second time;

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 288. A bill to amend an act entitled "An act for the extension of a road in Laporte county to Winnimac, in Pulaski county;

Was read a second time.

On motion,

The rules were suspended, the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 289. A bill repealing an act, approved January 15, 1844, in relation to the duty of County Treasurers ;

Was read a second time ; and,

On motion by Mr. Meredith,

Indefinitely postponed.

No. 290. A bill to incorporate the Connersville and Brownsville Turnpike Company ;

Was read a second time ;

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 291. A bill to authorize the County Commissioners of Daviess county to vacate a State road therein, and for other purposes.

Was read a second time ;

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 292. A bill to amend article five of the Revised Statutes of 1843, relative to writs of *ad quod damnum* ;

Was read a second time ;

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 293. A bill to incorporate the Eclectic Medical Institute of Indiana ;

Was read a second time ;

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 294. A bill to repeal the latter part of the 6th section of an act, in relation to the Northern Division of the Central Canal ;

Was read a second time :

On motion,

The rules were suspended, the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 296. A bill in relation to the jurisdiction of the justice of the peace, in Wayne county ;

Was read a second time ;

On motion,  
The rules were suspended, the bill read a third time, and passed.  
*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Bundy,  
The following message from the Senate was taken up :  
A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate has passed the following bill of the House, with the accompanying engrossed amendment of the Senate thereto :

No. 83. An act to prevent intemperance in Wayne township, in the county of Henry ;

In which amendment the concurrence of the House of Representatives is respectfully requested.

On motion by Mr. Bundy,  
The engrossed amendment of the Senate, to engrossed bill of the House, No. 83, was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Winstandley,  
Bill of the Senate,  
No. 60. A bill to provide for taking the sense of the qualified voters of this State, on the calling of a convention to alter, revise, or amend the constitution of this State ;

Was taken from the table.

Mr. Kelso moved to strike out "May if he choose," and insert "shall."

Which motion did not prevail.

The question being on the passage of the bill,

The ayes and noes being demanded by Messrs. Stanton and Wolfe,

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Allen, Barbour, Blakemore, Brady, Bryant, Bundy, Buskirk, Caldwell, Casselberry, Chambers, Cockrum, Cox, Cravens, Dobson, Donnōhue, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Dunn, Edmonston, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Hankins, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Huddleston, Hunt, Jackman, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Julian, Kelley, Kelso, Line, Lozier, Maddox, Meacham, Merédition, Morgan, Nicholson, Odell, Orr, Osborn, Parker of Brown, Place, Rice, Fisher, Riley, Ross of Miami, Ross of Wa-

bash, Rousseau, Ryan, Smith, Thompson, Tuttle, Vance, Vawter,  
Wade, Webster, Wilson, Winstanley, Withers, Wood, Wolfe,  
Young and Mr. Speaker—80.

*Those who voted in the negative are,*

Messrs. Stanton and Starbuck—2.

So the bill passed.

*Ordered, That the Clerk inform the Senate thereof.*

Mr. Blakemore moved to take up message from the Senate ;  
Which motion did not prevail.

No. 296. A bill relative to Justices of the Peace ;  
Was read a second time, and,

On motion,

The rules were suspended, and the bill read a third time and  
passed.

Mr. Hendricks moved to amend the title by adding "Wayne  
county;"

Which motion prevailed.

*Ordered, That the Clerk inform the Senate thereof.*

Mr. Hendricks moved that the House adjourn ;  
Which motion did not prevail.

No. 297. A bill regulating mileage of members of the General  
Assembly, and others ;

Was read a second time,

On motion,

The rules were suspended, the bill read a third time and passed.

*Ordered, That the clerk inform the Senate thereof.*

On motion by Mr. Lozier,  
The House adjourned.

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7 o'clock, P. M.

The House met.

Mr. Brady on leave offered the following resolution :

*Resolved, That the State Librarian be authorized to grant the use  
of this Hall to the Free Soil Convention, to be holden on the 18th  
instant;*

Which was adopted.

Mr. Meredith on leave introduced,

No. 368. A bill in reference to the appointment of Probate Judge of Wayne county;

Which was read a first time, and,

On motion,

The rules were suspended and the bill read a second time.

Mr. Meredith moved to strike out "Jesse P. Siddall," and insert "Jesse Williams," one of the Associate Judges;

Which was adopted.

On motion,

The rules were suspended, the bill as amended read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Wilson, a Senator:

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate will not suspend the operations of a resolution to adjourn on the 16th inst., and the Secretary of the Senate is directed to so inform the House.

No. 299. A bill establishing a Judicial Probate Circuit System.

Mr. Morgan moved to lay the bill on the table.

The ayes and noes being demanded by Messrs. Wolfe and Edwards,

*Those who voted in the affirmative are,*

Messrs. Alden, Barbour, Brady, Caldwell, Casselberry, Chambers, Cockrum, Cravens, Decker, Donnohue, Dougherty of Morgan, Drake, Dunn, Gillum, Hendricks, Hicks, Hill, Huddleston, Hunt, James, Jones of Bartholomew, Jones of Huntington, Line, Lozier, Meredith, Miller, Mills, Morgan, Odell, Orr, Osborn, Parker of Brown, Pierce, Place, Rice, Rifner, Rippey, Ross of Wabash, Shaw, Starbuck, Thompson, Tuttle, Vance, Vawter, Webster, Winstandley, Wolfe, and Young—48.

*Those who voted in the negative are,*

Messrs. Allen, Blakemore, Bryant, Buskirk, Dobson, Dougherty of Boone, Dowling, Duvall, Edmonston, Edwards, Frazer, Ford, Jessie, Goodwin, Harlan, Howell, Johnson of Dearborn, Johnston of Putnam, Kelley, Kelso, Maddox, Nicholson, Riley, Ross of Miami, Ryan, Smith, Stanton, Withers, Wood, and Mr. Speaker—30.

So the bill was laid on the table.

No. 300. A bill to legalize certain acts of the Board of Commissioners of Lagrange county;

Which was read a second time, and,

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 301. A bill to amend article 2, of chapter 42, of the Revised Statutes of 1843;

Was read a second time, and,

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 338. A bill to straighten the line between Ohio and Dearborn counties;

Mr. Johnson of Dearborn, moved to indefinitely postpone the bill.

The ayes and noes being demanded by Messrs. Kelso and Buskirk:

*Those who voted in the affirmative are,*

Messrs. Alden, Alexander, Allen, Barbour, Brady, Buskirk, Caldwell, Chambers, Decker, Dobson, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Edmonston, Frazer, Ford, Gillum, Harlan, Hendricks, Hill, Huckleberry, Huddleston, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Kelley, Line, Lozier, Meacham, Miller, Mills, Morgan, Nicholson, Orr, Osborn, Pierce, Rifner, Rippey, Shaw, Smith, Stanton, Starbuck, Tuttle, Vance, Webster Wilson, Winstandley, Withers, Wolfe, Young, and Mr. Speaker—54.

*Those who voted in the negative are,*

Messrs. Blakemore, Cockrum, Cravens, Dunn, Edwards, Gessie, Jackman, Kelso, Maddox, Meredith, Odell, Place, Rice, Riley, Ryan, Thompson, and Vawter—17.

So the bill was indefinitely postponed.

No. 302. A bill for the relief of Elisha Driskill;

No. 303. A bill to amend an act, entitled “An act for the relief of the securities of John Plasters, School Commissioner of Miami county,” approved Feb. 2, 1843;

No. 304. A bill authorizing a State road running from Jonesborough, in Grant county, to Lafayette, in Tippecanoe county;

Which were each severally read a second time, and,

On motion,

The rules were suspended, and the bills read a third time, and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 305. A bill authorizing the leasing of the finished portion of the Central Canal, and for other purposes;

Mr. Wolfe moved to strike out "ten" and insert "five."

Which motion did not prevail.

Mr. Drake moved to amend by,

"Requiring the Auditor, Treasurer, and Secretary to report the propositions to the next General Assembly for their approval or rejection."

Which amendment was adopted.

Mr. Meredith moved to strike out "Indianapolis," and insert "the whole Canal."

Which was adopted.

Mr. Kelso moved to insert after the word Marion, "or Morgan."

Which was decided in the affirmative.

Mr. Kelso moved to strike out "Auditor," and insert "Secretary."

Which was adopted.

On motion,

The rules were suspended, the bill read a second and third times, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 307. A bill supplemental to bill, No. 54, entitled "A bill to amend the Indianapolis and Peru Railroad charter;"

Was read a second time, and,

On motion by Mr. Kelso,

Indefinitely postponed.

Mr. Goodwin moved to take up bill of the House,

No. 53. A bill for the relief of the voters of the counties of Daviess and Martin;

Which motion prevailed.

Mr. Dobson moved to reconsider the vote on adding Owen county;

Which motion prevailed.

The question then recurring on adding Owen county,

Was decided in the negative.

The pending amendment being to add every county in the State,

On motion by Mr. Maddox,

The amendment was laid on the table.

Mr. Riley moved to indefinitely postpone the bill;

The ayes and noes being demanded by Messrs. Riley and Meacham:

*Those who voted in the affirmative are,*

Messrs. Alden, Barbour, Brady, Chambers, Donnouhe, Duvall, Edmonston, Frazer, Gillum, Harlan, Hendricks, Hill, Huckleberry, Huddleston, Hunt, James, Jones of Bartholomew, Jones of Huntington, Kelley, Line, Maddox, Meacham, Miller, Nicholson, Odell, Osborn, Pierce, Place, Rice, Rifner, Riley, Rippey, Ross of Miami, Ross of Wabash, Stanton, Starbuck, Vance, Webster, Winstandley, Wolfe, Wood, and Young—42.

*Those who voted in the negative are,*

Messrs. Alexander, Allen, Blakemore, Bryant, Buskirk, Caldwell, Casselberry, Cockrum, Cravens, Decker, Dobson, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Dunn, Edwards, Ford, Goodwin, Hicks, Jackman, Johnston of Putnam, Kelso, Lozier, Meredith, Morgan, Orr, Parker of Brown, Smith, Thompson, Tuttle, Vawter, Wilson, Withers, and Mr. Speaker—35.

So the bill was indefinitely postponed.

Mr. Gillum moved to take up Senate bill,

No. 103. A bill changing the mode of doing county business in the county of Orange,

Which motion did not prevail.

No. 309. A bill to amend an act entitled, "an act to authorize the people of the several townships of the several counties, to prohibit the retailing of spirituous liquors," approved January 28th, 1847.

Which was read a second time, and

On motion by Mr. Kelso,

Laid on the table.

No. 318. A bill to repeal so much of an act therein named, as relates to the county of Jackson,

Was read a second time, and

On motion by Mr. Ford,

Laid on the table.

No. 331. A bill to repeal an act entitled, "an act to confine voters to their respective townships," approved January 13th, 1845, so far as the same relates to the county of Monroe;

Was read a second time, and

On motion by Mr. Huddleston,

Laid on the table.

A message from the Senate by Mr. Test, their Secretary:

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bills thereof, to-wit :

No. 228. An act to unite the Mount Carmel and New Albany

Rail Road Company, and the Mt. Carmel and Alton Rail Road Company by the name of the Alton, Mt. Carmel, and New Albany Rail Road Company.

No. 229. An act to amend the act to incorporate the Ohio and Mississippi Rail Road Company.

In which the concurrence of the House is respectfully requested.

No. 228. A Senate bill contained in the foregoing message was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 229. A Senate bill contained in the foregoing message was read a first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Wolfe offered the following amendment :

Amend thus :

*Provided however*, That nothing herein shall be so construed as to prohibit any rail road company in this State, from crossing the track of said rail road.

Which was not adopted.

Mr. Buskirk moved to amend as follows :

Sec. —. That it shall be the duty of said company, if the citizens of the counties of Bartholomew, Brown, Monroe, and Greene shall, within sixty days after the taking effect of this act, raise a sufficient sum to defray the expenses of surveying a line, begining at the nearest and most convenient point, on the random line of said road, lately surveyed by Professor Mitchell, east of Bartholomew county, and running thence through said counties by way of the town of Bloomington, in Monroe county, to Vincennes, to cause said line to be surveyed, and if upon said survey being made it shall appear that said road can be constructed thereon at less expense than on any other route, and will be more conducive to the interests of the State, then said company shall construct said road on said line.

Mr. Dobson moved to amend the amendment by

Adding the following :

That the counties of Owen, Morgan, and Franklin, shall have the same privileges extended to them, that is extended to the other counties above named.

Which amendment was accepted by Mr. Buskirk.

Mr. Kelso moved to lay the amendment on the table.

Which motion prevailed.

Mr. Wolfe moved to amend thus in the proper place :

*Be it further enacted,* That the provisions of this charter be, and the same are hereby made to apply to, and shall constitute a charter for a Rail Road leading from Evansville to Terre Haute, via Vincennes, and to have the same force and effect, as though said charter had originally passed in direct reference to said Evansville and Terre Haute Rail Road, and the following shall constitute a Board of Directors in the several counties through which the same shall pass: — — —, in the county of Vanderburg, — — —, in the county of Gibson, — — —, in the county of Knox, — — —, in the county of Sullivan, and — — —, in the county of Vigo. The capital stock of said company shall be \$120,000.

On motion by Mr. Vawter, the amendment was laid on the table.

Mr. Ford moved to strike out so much as relates to voting for the taking of stock by the county Board of Jackson, in its corporate capacity.

Which motion prevailed.

Mr. Carr moved to strike out so much as relates to voting for the taking of stock by the county Board of Lawrence, in its corporate capacity.

Which amendment was adopted.

Mr. Allen moved to suspend the rules, and read the bill a third time.

Which was decided in the affirmative.

The question then being "Shall the bill pass?" was decided in the affirmative.

*Ordered,* That the Clerk inform the Senate thereof.

Mr. Harlan, chairman of the committee on ways and means, made the following report:

MR. SPEAKER :

The committee of ways and means, to whom the duty of reporting a bill making specific appropriations, have had the same under consideration, and directed me to report the following bill and recommend its passage.

No. 369. A bill making specific appropriations for the year 1849.

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Wolfe moved to fill the blank in that part of the first section fixing the *per diem* of assistants to the Principal and Assistant Clerks of the House, and Principal and Assistant Secretaries of the Senate, with "three dollars."

Mr. Allen moved to fill the blank in the first section, with "four dollars."

Which motion prevailed.

Mr. Meredith moved to amend the 36th section, by striking out "\$35," and inserting "\$50."

Which motion did not prevail.

Mr. Harlan moved to allow the Speaker sixty cents for postage on letters and public documents.

Which motion prevailed.

Mr. Hendricks moved to strike out that part of the bill which relates to the pay of witnesses.

Which motion did not prevail.

Mr. Meredith moved to strike out "thirty-five," in the 36th section, and insert "forty-five."

Which motion did not prevail.

On motion by Mr. Line,

The vote on allowing the Speaker "sixty cents" for postage paid on letters and public documents.

On motion by Mr. Line,

The amendment was laid on the table.

Mr. Line offered the following amendment.

"Sec. —. That two dollars be allowed to the Hon. Geo. W. Carr for postage on public documents addressed to him; and that a like sum be allowed to the Hon. Paris C. Dunning, President of the Senate, for postage paid on public documents addressed to him."

Which was adopted.

Mr. Ross of Miami moved to amend by adding the following section:

"Sec. —. That John M. Wilson be allowed the sum of thirty dollars, for money paid out in subsisting troops of the 1st Regiment of Indiana Volunteers."

Which was not adopted.

Mr. Hendricks moved to strike out "Private Secretary," in the 34th section, and insert "Executive Messenger."

Which motion prevailed.

Mr. Johnston of Putnam moved to strike out the 37th section, which allows the Executive Messenger three dollars per day.

The ayes and noes being demanded by Messrs. Dougherty of Morgan and Johnston of Putnam,

*Those who voted in the affirmative are,*

Messrs. Blakemore, Donnohue, Dougherty of Morgan, Johnston of Putnam, Morgan and Orr—6.

*Those who voted in the negative are,*

Messrs. Allen, Alexander, Barbour, Brady, Bryant, Buskirk, Caldwell, Casselberry, Chambers, Cockrum, Cravens, Decker, Dobson, Dougherty of Boone, Dowling, Drake, Dunn, Duvall, Edwards, Frazer, Ford, Harlan, Hendricks, Hill, Howell, Huckleberry, Hud-

dleston, Hunt, Jackman, James, Johnson of Dearborn, Jones, of Bartholomew, Kelley, Kelso, Line, Lozier, Maddox, Miller, Nicholson, Odell, Osborn, Parker of Brown, Pierce, Place, Rice, Rifner, Riley, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Webster, Wilson, Winstandley, Wolfe, Wood, Young and Mr. Speaker.—66.

Mr. Frazer moved to reconsider the vote on the amendment of Mr. Ross of Miami.

Which motion prevailed.

Mr. Blakemore moved to amend the amendment, by adding the following proviso :

*"Provided,* That he produce the proper vouchers, to the satisfaction of Treasurer of State."

On motion by Mr. Maddox,

The amendment and the amendment to the amendment was laid on the table.

On motion by Mr. Wolfe,

The 26th section, allowing E. Browning fifty dollars for keeping volunteers, was stricken out.

Mr. Kelso moved to add the following section :

"Sec. —. That R. A. Riley, Esq., be allowed the sum of twenty dollars for his services as special prosecuting attorney at the April term, 1848, of the Hancock circuit court, by order of the court, the regular prosecutor being absent."

Mr. Parker of Brown moved to lay the amendment on the table ; Which motion did not prevail.

The question then recurring on the adoption of the amendment, Was decided in the affirmative.

Mr. Kelso moved to add the following section :

"Sec. —. That Edward Burns be allowed the sum of nine dollars and seventy-five cents, for moneys by him paid for the transportation of public arms, from Indianapolis to Florence in Indiana ;"

Which amendment was adopted.

Mr. Stanton moved to strike out the 33d section, which allows Thos. Eaglefield twenty dollars ;

Which motion prevailed.

Mr. Kelso moved to add the following section :

"Sec. —. That Hon. James R. M. Bryant be allowed the sum of twenty-five dollars, for extra services by him rendered, clerking for the committee on education, and for drafting the school bill of the present session ;"

Which was adopted.

Mr. Blakemore moved to amend the 16th section so as to fix the compensation of Michael Shea for wood sawing, &c., at the rate of one dollar and fifty cents per day, instead of two dollars ;

Which motion did not prevail.

Mr. Wolfe moved to so amend the 16th section as to fix the compensation of Michael Shea at two dollars per day;

Which motion did not prevail.

Mr. Wolfe moved to so amend the 16th section as to fix the compensation of Michael Shea at two dollars and fifty cents per day;

Which motion did not prevail.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendments of the House to the following engrossed bills of the Senate, to-wit:

No. 99. An act for the relief of James D. Glass, deceased;

No. 166. An act to amend an act to incorporate the Madison and Napoleon Turnpike Company;

No. 187. An act to record the survey of a State road in Ripley County;

No. 192. An act to amend an act entitled an act to incorporate the Mooresville Branch Railroad Company;

No. 201. An act further to amend an act entitled "An act to incorporate the town of Columbus, Bartholomew county, Indiana," approved 6th February, 1839;

A message from the Senate by Mr. Test their secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment, to-wit:

No. 205. An act for the relief of Bowen B. McFarland, and Cephas and Henry McFarland, late of the U. S. Army in Mexico;

No. 214. An act to resurvey and relocate so much of the Indianapolis and Fort Wayne State road, as lies within the counties of Grant, Wells and Huntington;

No. 216. An act to incorporate the Washington Turnpike Company in Wayne county, Indiana;

No. 217. An act to legalize certain acts of the Auditor of Marshall county;

No. 218. An act to authorize supervisors in Wells county, levying an additional road tax when necessary;

No. 219. An act to repeal an act entitled "An act to repeal an

act entitled an act defining the duties of county treasurer's, passed 13th January, 1845, approved 14th February, 1848, relative to the counties of Fulton and Marshall;

No. 221. An act to change the name of the Ciceronian Society of Franklin College, to the name of Alphi Pi;

No. 222. An act to increase the salary of probate judge of Wayne county;

No. 223. An act relative to roads in Marshall, Fulton, and Starke counties;

No. 224. An act to incorporate the Delphi and Frankfort Plank Road Company;

No. 226. An act to exempt the property of invalids from taxation;

No. 257. An act to incorporate the Greensburg and Brookville Turnpike Company;

No. 228. A act defining the duty of the board of commissioners of the county of Monroe;

No. 231. An act to amend an act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the Board of Internal Improvements, and the officers of Fund Commissioner and Chief Engineer, approved January 28, 1842;

No. 235. An act defining the mode of appointing trustees of the county library of Sullivan county;

No. 250. An act to incorporate the Elkhart and Michigan Railroad Company;

No. 257. An act in relation to roads and bridges in Bartholomew county;

No. 264. An act to incorporate the Rushville Female Institute;

No. 265. An act for the relief of the heirs of William Whaling, deceased;

No. 277. An act relating to the dockets of justices of the peace, in Pleasant Run township in Lawrence county;

No. 306. An act to legalize a certain deed therein named;

No. 214. An act to amend an act entitled "An act to incorporate the Madison Cemetery, approved 19th January, 1846:

No. 315. An act in relation to road tax in Adams county;

No. 317. An act to change the name of the Cannelton Steam Mill and Manufacturing Company, and to authorize them to mine coal;

No. 320. An act to legalize the sale of delinquent lands and lots in the county of Crawford;

No. 321. An act to regulate the mode of doing county business in the county of Putnam.

A message from the Senate by Mr. Test, their Secretary :

## MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment, to-wit :

No. 22. A joint resolution relative to the second and third Regiments of Indiana Volunteers.

No. 33. An act defining the duties of administrators de bonis non in certain cases.

No. 97. An act to amend section 336, chapter 40, of the Revised Code of 1843.

No. 106. An act to incorporate the Moscow and Blooming grove Turnpike Company;

No. 132. An act regulating the fees of justices of the peace, mayors and constables, and for other purposes.

No. 166. An act to locate a State road from Wabash, in Wabash county, via Bluffton, in Wells county, to Fort Recovery, in Ohio.

No. 186. An act in relation to official misconduct of county commissioners.

No. 206. An act defining the duties of congressional township trustees in Daviess county.

No. 248. An act to repeal an act entitled "An act reducing the fee for recording deeds in Delaware county, approved 11th of February, 1848.

No. 259. An act to change the name of the town of Huntsville, in the county of Randolph, to that of Trenton.

A message from the Senate by Mr. Test, their Secretary :

## MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendments of the House to the bill of the Senate, entitled,

No. 120. An act to incorporate the Fort Wayne and Bluffton Turnpike company.

The Senate has also passed the following engrossed bill of the House :

No. 271. An act to incorporate the town of Greencastle, in the county of Putnam.

Message from the Senate by Mr. Test, their Secretary :

## MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendments of the House to the following engrossed bills of the Senate, to-wit :

No. 14. An act to amend an act entitled an act creating the Tip-

pecanoe court of common pleas, and defining its jurisdiction, approved 18th January, 1848.

No. 18. An act to incorporate the Laporte Iron Manufacturing Company.

No. 25. An act to incorporate the Cross plains and Laughery Turnpike company.

No. 39. An act to amend and extend section 60, of chapter 38, of the revised laws of 1843, so far as Jefferson county is concerned.

No. 48. An act authorizing the construction of plank roads.

No. 74. An act to repeal section 3, chapter 28, of the Revised Statutes of 1843, relative to contracts with the Indians.

No. 79. A joint resolution to provide for the enforcement of the State debt act and the act supplemental thereto.

No. 82. An act to incorporate the Richmond Bridge and Turnpike Company.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendment of the House to the Senate bill,

No. 118. An act for the benefit of the Ohio and Indianapolis Railroad, and changing the name of said company.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed joint resolutions and bills of the House, without amendment :

No. 57. A joint resolution in relation to the seat of government of the United States.

No. 176. A joint resolution on the subject of the three per cent. fund.

No. 271. An act to incorporate the town of Greencastle, in the county of Putnam.

No. 272. An act to change the manner of electing the marshal of the borough of Vincennes.

No. 325. An act to change the name of Lewisburg to that of Eden.

No. 333. A bill to incorporate the trustees of the Clark University.

Also, the Senate has concurred in the engrossed amendment of the House to the engrossed amendment of the Senate to bill of the House,

No. 103. An act to amend article 2, of chapter 35, of the Revised Statutes of 1843.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, to-wit :

- No. 282. An act to incorporate the Knox Insurance Company.
- No. 49. An act relative to school funds in the county of Clarke.
- No. 173. An act to locate a State road in the counties of Shelby and Rush.
- No. 179. An act to amend the plat of Cambridge City.
- No. 190. An act to vacate the town of Centerville, in Morgan county.
- No. 193. An act to legalize the assessment of taxable property, in Wayne township, Bartholomew county, for the year 1848.
- No. 127. An act to repeal an act entitled, "an act providing the opening and repairing public roads and highways in the county of Monroe, approved February 3, 1841, and for other purposes.
- No. 323. An act fixing the fees of the Auditor of Switzerland county.
- No. 200. A joint resolution on the subject of donating lands by the General Government.
- No. 202. An act to amend an act entitled, an act to incorporte the Terre Haute and Richmond Rail Road Company," approved Jan. 26, 1847, and an act amendatory thereto, approved February 16, 1848.
- No. 204. An act to amend an act extendingthe jurisdiction of justices of the peace in certain criminal cases, approved February 16, 1848.
- No. 208. An act to confirm a certain change in the Michigan road, in Cass county.
- No. 201. A joint resolution on the subject of publishing the general laws of the present session.
- No. 244. An act to incorporate the American University.
- No. 331. An act to regulate the mode of doing county business in the county of Putnam.
- No. 277. An act relating to the dockets of justices of the peace in Pleasant Run township, in Lawrence county.
- No. 320. An act to legalize the sale of delinquent lands and lots in the county of Crawford.

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Huckleberry,  
The House adjourned.

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MONDAY MORNING, JAN. 15, 1849.

The House met.

On motion by Mr. Ford,  
The reading of the journal was dispensed with.  
Mr. Johnson of Putnam moved to take up bill of the Senate No. 106, a bill to change a certain State road therein named,  
Which motion did not prevail.

Mr. Huckleberry presented the petition of citizens of Clark county, on the subject of temperance.

Which,

On motion,  
Was referred to the select committee of one member from each judicial circuit on the same subject.

Mr. Caldwell presented the petition of citizens of Clark county, on the subject of temperance;

Which,

On motion,  
Was referred to the select committee of one member from each judicial circuit on the same subject.

On motion by Mr. Ford,

The House took up messages from the Senate.

A message from the Senate, by Mr. Test, their Secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendments of the House to the engrossed bill of the Senate:

No. 76. An act to define the jurisdiction of justices of the peace in the several counties therein named.

And the Senate has further amended the first amendment of the House, in which amendment, the concurrence of the House is respectfully requested.

Which amendment was concurred in.

*Ordered,* That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Dole, a Senator:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

No. 138. An act to revise and consolidate the several acts of the General Assembly in relation to laying out, opening, repairing, changing, and vacating public highways and the erection and repair of bridges and to amend the same.

In which the concurrence of the House is respectfully requested.

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

The question on the engrossment of the bill,

The ayes and noes being demanded by Messrs. Wolfe and Rice:

*Those who voted in the affirmative are,*

Messrs. Barbour, Blakemore, Brady, Buskirk, Caldwell, Cockrum, Decker, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Dunn, Duvall, Edmonston, Edwards, Gessie, Gillum, Goodwin, Graham, Hankins, Harlan, Hicks, Hill, Howell, Huckleberry, Hunt, James, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Line, Meacham, Meredith, Miller, Morgan, Nicholson, Orr, Parker of Brown, Place, Risner, Riley, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Stanton, Starbuck, Tuttle, Vance, Wade, Webster, Wilson, Wood, and Young—58.

*Those who voted in the negative are,*

Messrs. Chambers, Frazer, Ford, Johnson of Dearborn, Maddox, Osborn, Rice, Winstandley, Withers Wolfe, and Mr. Speaker—11.

So the bill was ordered to be engrossed.

Mr. Buskirk moved to amend by inserting the county of Monroe among those whose local laws are excepted from repeal in the 129th section.

Which motion prevailed.

Mr. Maddox moved to amend by inserting the county of Fountain in the same section.

Which motion prevailed.

Mr. Withers moved to amend by inserting the county of Pike in the same section;

Which motion prevailed.

Mr. Frazer moved to amend by inserting the county of Kosciusko in the same section;

Which motion prevailed.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

No. 203. An act prescribing the practice in the circuit courts in cases of appeals from the award of appraisers appointed to assess damages to claimants for materials taken for, or land injured by the construction of the Wabash and Erie canal;

No. 213. A act amendatory of an act entitled "an act establish a levee from the town of Vincennes through the lower prarie, near the Wabash river, to the Grand Conlee," approved 2d February, 1833;

No. 217. An act to surpress professional gamblers, and for other purposes;

No. 219. An act to amend the statute providing for the taking a change of venue in criminal cases;

No. 221. An act to incorporate the Richmond and Middleboro Turnpike Company;

No. 222. An act to amend the charter of the Jeffersonville Association;

No. 227. An act declaratory of the meaning of a certain act therein named;

No. 230. An act to prevent the consolidation of indictments in certain cases in Hamilton county;

No. 231. An act to incorporate the Milan and Manchester Turnpike Company;

No. 232. An act to incorporate the Northern Indiana Plank Road Company;

No. 234. An act to incorporate the town of Wabash;

No. 236. An act to establish an additional place of holding elections in the township of Delaware, Hamilton county;

In which the concurrence of the House is respectfully solicited.

Senate bill No. 203, contained in the foregoing message, was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

On motion by Mr. Edmonston,

The bill was referred to the committee on the judiciary.

Senate bill No. 213 was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Ford inoved to reconsider the vote on referring Senate bill No. 203 to the committee on the judiciary;

Which motion did not prevail.

Senate bill No. 217 was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Morgan moved to lay the bill on the table.

The ayes and noes being demanded by Messrs. Duvall and Meacham,

*Those who voted in the affirmative are,*

Messrs. Casselberry, Donnohue, Dougherty of Boone, Drake, Ford, Hill, Johnson of Putnam, Jones of Bartholomew, Maddox, Morgan, Riley, Winstandley, Wood and Young—14.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Blakemore, Brady, Eryant, Buskirk, Caldwell, Cockrum, Decker, Dobson, Dougherty of Morgan, Dunn, Duvall, Edmonston, Edwards, Frazer, Gessie, Gillum, Goodwin, Graham, Hankins, Hicks, Howell, Huckleberry, Hunt, Johnston of Dearborn, Jones of Huntington, Kelso, Line, Meacham, Meredith, Miller, Nicholson, Odell, Orr, Osborn, Parker of Brown, Place, Rice, Rifner, Rippey, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Stanton, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Webster, Wilson, Withers, Wolfe, and Mr. Speaker—58.

So the bill was not laid on the table.

Mr. Kelso moved to recommit the bill to the committee on the judiciary with instructions to amend so as to include all gamblers, residents as well as non-residents.

Mr. Blakemore moved to further instruct the committee to strike out all of the first section after the word "value," in the ninth line.

The question being on referring with instructions, was decided in the affirmative.

Mr. Wolfe moved to reconsider the vote on recommitting Senate bill No. 217;

Which motion did not prevail.

Mr. Hunt, chairman of the committee on benevolent and scientific institutions, made the following report:

MR. SPEAKER :

The committee on benevolent and scientific institutions, to whom was referred the petition of sundry citizens of Marion county, preferring charges against the board of trustees of the asylum for the education of the deaf and dumb, have had that subject under consideration, and have endeavored to give it a patient and impartial investigation. Your committee, in view of the grave charges contained in the petition against the board of trustees, and asking for the removal of one of the most able and influential of said board, have felt it due to that board, to the highly respectable citizens by whom those charges are preferred, and to the extensive and important interests of the State involved in the present prosperity and future prospects of her noble benevolent institutions, to examine under oath all parties interested in the charges alledged in said petition against the board and their building committee. From all the facts elicited during the investigation, your committee are unanimously of opinion that some of the charges were embodied in language, the full force of which was not appreciated by those making them, and the charges preferred have *not been sustained.*

Your committee believe that the board of trustees, and the building committee, have been actuated by the purest motives, without attempting in any manner to advance their own interests, or to neglect the best interests of the institution or the State. But while your committee, as an act of justice, bear testimony to the disinterested and patriotic conduct of the trustees, they are not entirely satisfied that some portions of the work could not have been let at reduced prices to responsible bidders, without having materially affected the interests of the State. Your committee, however, are fully persuaded that in the absence of legislative aid, by which to be governed in the lettings referred to, the board of trustees and their building committee, and Mr. Alfred Harrison, against whom the charges in the petition are more especially made, were actuated entirely by the desire to subserve the true interests of the State; and in order to avoid a like difficulty, and to remove the embarrassments under which the board of trustees and their agents have been laboring, in consequence of the neglect of the Legislature to prescribe the mode in which these lettings should be made, the committee have directed me to present the following bill and recommend its passage:

No. 370. A bill to provide for the manner of letting the work of the asylum for the education of the deaf and dumb;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered,* That the Clerk inform the Senate thereof.

Mr. Kelso, (on leave,) introduced,

No. 371. A bill to amend the act entitled "An act to reduce the salaries of the Governor of State and other officers," approved Dec. 14th, 1843;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Orr moved to strike out all of the bill after the enacting clause and insert the following :

"That the members of this General Assembly shall each be allowed the sum of two dollars per day, for the first six weeks of every session.

"Sec. 2. That said members shall only be entitled to claim and receive the sum of eight cents per mile for traveling to and from the capitol of this State, as such members.

"Sec. 3. All laws and parts of laws containing the provisions of this act be and the same are hereby repealed.

"Sec. 4. This act to take effect and be in force from and after its passage."

On motion by Mr. Parker of Brown,

The amendment was laid on the table.

Mr. Orr moved to lay the bill on the table ;

Which motion did not prevail.

Mr. Edmonston moved to apply the amendment of Mr. Orr, to the county of Delaware ;

Which motion prevailed.

Mr. Orr moved to apply the amendment to the county of Dubois ; Which motion did not prevail.

On motion by Mr. Vance,

The vote on Mr. Edmonston's motion was reconsidered.

Mr. Edmonston then withdrew the motion.

On motion by Mr. Kelso,

The further consideration of the bill was postponed until 8 o'clock this evening.

Bills of the Senate, Nos. 222, 227, 231, 230, 234, 236, 232, 219, contained in the foregoing message, were read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Davis, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof, to-wit:

No. 235. An act to incorporate the Ohio Insurance Company ; In which the concurrence of the House is respectfully requested.

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Barbour moved to refer the bill to the committee on the judiciary;

Which motion did not prevail.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Holloway, a Senator:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof, to-wit:—

No. 216. An act to locate a State road in the counties of Jasper, White, and Tippecanoe;

No. 223. An act to incorporate the Indianapolis and Danville Rail Road Company;

No. 240. An act to incorporate the Indiana Mining Company;

No. 241. An act to amend section 89, of article 7, of chapter 12, of the Revised Statutes of 1843;

No. 243. An act to amend an act entitled "An act to authorize the people of the several townships of the several counties, to prohibit the retailing of spirituous liquors so far as relates to the county of Wabash;

No. 244. An act to authorize the Board of County Commissioners of Monroe county, to make an additional allowance to the probate judge of said county;

No. 245. A joint resolution in relation to the Indianapolis and Peru Rail Road;

In which the concurrence of the House of Representatives is respectfully requested.

Bill of the Senate, No. 216, contained in the foregoing message, was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Bill of the Senate, No. 223, contained in the foregoing message, was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Johnston of Putnam, moved to lay the bill on the table;

Which motion did not prevail.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Bills of the Senate, Nos. 240, 241, and 243, contained in the foregoing message, were each read three several times and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Bill of the Senate, No. 244, contained in the following message, was read a first time and passed to a second reading;

On motion,

The rules were suspended and the bill read a second time.

Mr. Buskirk offered the following amendment:

Section 2. That the board of commissioners of the county of Monroe be, and they and each of them are hereby allowed the sum of three dollars per day for their services as such, and that all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, so far as it relates to Monroe county.

Which was adopted.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Bill of the Senate No. 245, contained in the foregoing message, was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate, by Mr. Holloway, a Senator:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, with the accompanying amendment of the Senate thereto:

No. 242. An act to change the time of holding courts in the eighth judicial circuit, and to reduce said circuit;

In which amendment the concurrence of the House is respectfully requested.

Which amendment was concurred in.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate, by Mr. Ellis, a Senator:

MR. SPEAKER :

I am requested to inform the House of Representatives that the Senate has passed the following engrossed joint resolution thereof :

No. 246. A joint resolution relative to the Terre Haute Drawbridge company ;

In which the concurrence of the House is respectfully requested.

Which was read a first time and passed to a second reading.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills and joint resolutions thereof, to-wit :

No. 136. A joint resolution in relation to certain official documents connected with the conduct of the Second Indiana Regiment ;

No. 143. An act to incorporate the Laurel and Bloominggrove turnpike comyany ;

No. 163. An act for the relief of Charlotte Slaughter of the county of Morgan ;

No. 206. An act for the relief of Geo. N. Waitt ;

No. 209. An act to amend article one of chapter thirty-five of the Revised Statutes of 1843 ;

No. 215. An act to incorporate the Ohio, Indiana, and Lake Michigan Railroad company ;

No. 239. An act to incorporate the Wildcat Bridge company ;

No. 247. A joint resolution in relation to the improvement of the Kankakee and Iroquois rivers in the States of Indiana and Illinois ;

No. 248. A joint resolution on the subject of Mary Griffith, an Indian woman, transferring her land ;

No. 249. An act to authorize the county commissioners of Cass county to increase the highway tax in said county ;

No. 250. An act to authorize merchants to vend clocks ;

No. 251. An act to amend an act entitled "an act to incorporate the Fairview Academy of Rush county ;"

No. 252. An act to amend an act entitled "an act to incorporate the Wayne turnpike company ;"

No. 253. An act defining the duty of the board of commissioners of the county of Monroe ;

No. 255. An act for the relief of Roswell Langdon of Perry county ;

No. 256. An act to locate a State road in the counties of Fountain and Tippecanoe ;

No. 257. An act to amend an act entitled "an act to incorporate the Madison and Napoleon turnpike company ;"

No. 258. An act to authorize the transfer of cases pending in the probate to the circuit court ;

No. 259. An act to increase the pay of the probate judges of certain counties therein named;

No. 262. An act to improve the breed of horses in the county of Randolph;

No. 263. An act to authorize Wilson T. Way and Harriet Way to file a bill in chancery in the Randolph circuit court;

No. 265. An act for the relief of Seth Bacon, deceased;

No. 266. An act relative to a bridge over Deer creek in Carroll county;

In which the concurrence of the House of Representatives is respectfully requested.

The House proceeded to the consideration of the Senate bills contained in the foregoing message.

Senate bill No. 266 was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill No. 265 was read three several times, the rules having been suspended therefor, and passed.

On motion by Mr. Kelso,

The title was amended by inserting before "Seth Bacon" the words "the heirs of."

*Ordered*, That the clerk inform the Senate thereof.

Senate bill No. 263 was read a first time and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time.

On motion by Mr. Buskirk,

The bill was laid on the table.

Senate bill No. 262 was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill No. 259 was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

On motion by Mr. Morgan,

The county of Decatur was stricken out of the bill.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill, No. 258, was read three several times, the rules having been suspended therefor, and passed.

Mr. Wolfe moved to amend the title by adding the county of Putnam.

Which motion did not prevail.

Mr. Line moved to reconsider the vote on bill of the Senate, No. 259.

Which motion prevailed.

On motion by Mr. Line,

The county of Franklin was inserted.

On motion by Mr. Harlan,

The county of Grant was inserted.

On motion by Mr. Bryant,

The county of Warren was inserted.

The bill as amended was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bills, Nos. 252 and 251, were each read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill, No. 250, was read a first time and passed to a second reading.

Senate bill, No. 249, was read a first time and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time.

Mr. Blakemore moved to lay the bill on the table.

Which motion prevailed.

Senate bill, No. 248, was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Bryant,

The House took up bill of the Senate,

No. 50. A bill to authorize the establishment of a ferry across the Wabash river, at the town of Independence;

Mr. Bryant moved to add the following proviso :

*Provided*, The said ferry shall be a horse-boat ferry, and no other.

Which was adopted.

The bill as amended was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Goodwin, on leave, introduced,

No. 372. A bill relative to voting in certain townships in Daviess county;

Which was read a first time, and passed to a second reading.

Mr. Gillum moved to suspend the rules for the purpose of introducing a bill.

Which motion did not prevail.

The House again proceeded to the consideration of bills contained in the message from the Senate.

Senate bills and joint resolutions, Nos. 247, 239, and 215, were each read three several times, the rules having been suspended therefor, and passed.

Senate bill, No. 209, was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time.

Mr. Dougherty of Boone moved to lay the bill on the table.

Which motion prevailed.

Senate bill, No. 206, was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time.

Mr. Buskirk moved to lay the bill on the table.

Which motion prevailed.

Mr. Barbour moved to reconsider the vote on laying the bill on the table.

The ayes and noes being demanded by Messrs. Parker of Brown and Morgan:

*Those who voted in the affirmative are,*

Messrs. Barbour, Brady, Chambers, Cockrum, Cravens, Decker, Donnoghue, Dougherty of Morgan, Dowling, Drake, Dunn, Duvall, Edmonston, Edwards, Ford, Gessie, Goodwin, Harlan, Howell, Huckleberry, Hunt, Johnson of Dearborn, Kelso, Meacham, Meredith, Miller, Orr, Place, Rice, Riley, Ross of Wabash, Ryan, Shaw, Smith, Vawter, Wade, Webster, Wilson, Winstandley, Withers, Wood, and Mr. Speaker—42.

*Those who voted in the negative are,*

Messrs. Blakemore, Buskirk, Caldwell, Dobson, Dougherty of B., Gillum, Graham, Hankins, Hicks, James, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Line, Maddox, Mills, Morgan, Nicholson, Osborn, Parker of Brown, Pierce, Rifner, Ross of Miami, Stanton, Starbuck, Tuttle, and Vance—27.

So the vote on laying the bill on the table was reconsidered. The question then recurring on laying the bill on the table, Was decided in the negative.

Kr. Kelso moved to amend the bill by adding the following:

*“Provided, however, That all the property, personal or real, that is now in the possession of the said Lucy O. Waitt be, and the same is hereby, secured to her and her heirs, to be free and clear of any claim the said George N. Waitt may have derived thereto by virtue of his marriage to the said Lucy O. Waitt, formerly Lucy Oaks.”*

Which amendment was adopted.

The bill as amended was ordered to a third reading on to-morrow.

Mr. Dunn moved to suspend the rules and read the bill a third time now.

The ayes and noes being demanded by Messrs. Maddox and Parker of Brown:

*Those who voted in the affirmative are,*

Messrs. Barbour, Brady, Bryant, Casselberry, Cockrum, Cravens, Decker, Donnohue, Dougherty of Morgan, Dowling, Drake, Dunn, Duvall, Edmonston, Edwards, Ford, Gessie, Goodwin, Harlan, Huckleberry, Hunt, Kelso, Meacham, Meredith, Miller, Odell, Orr, Place, Riley, Ross of Wabash, Ryan, Shaw, Smith, Thompson, Vawter, Wade, Webster, Wilson, Winstandley, and Wood—40.

*Those who voted in the negative are,*

Messrs. Blakemore, Bundy, Caldwell, Chambers, Dobson, Dougherty of Boone, Frazer, Gillum, Graham, Hankins, Hicks, Hill, James, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Line, Maddox, Mills, Morgan, Nicholson, Osborn, Parker of Brown, Rice, Rifner, Stanton, Starbuck, Tuttle, and Vance—29.

There being less than two-thirds voting in the affirmative, the rules were not suspended.

Mr. Drake moved to take up bill of the Senate, No. 202, a bill to dissolve the bands of matrimony between Robert<sup>2</sup>B. Hardesty and Ellen Hardesty;

Which motion did not prevail.

Senate bill No. 163, was read a first time and passed to a second reading.

Mr. Dougherty of Morgan moved to suspend the rules and read the bill a second time.

Which motion did not prevail.

Senate bill No. 143, was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Line moved that the bill be referred to a select committee.

Which motion prevailed.

Mr. Barbour, occupying the chair temporarily, deferred appointing the committee, leaving the appointment to be made by the Speaker, whenever he might resume the chair.

Joint-resolution of the Senate No. 136;

Was read three several times, the rules having been suspended therefor, and passed.

*Ordered, That the Clerk inform the Senate thereof.*

Mr. Kelso moved to suspend the order of business for the purpose of introducing a bill.

Which motion did not prevail.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate has passed the following engrossed bill of the House, with the accompanying engrossed amendment thereto, to-wit :

No. 113. An act in relation to the real and personal estate of John Fischli, late of Jackson county, deceased.

In which amendment the concurrence of the House is respectfully requested.

Which amendment was concurred in,

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Randall, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, with the accompanying engrossed amendment thereto :

No. 195. An act to provide for the location of a State road in Grant and Wabash counties ;

In which the concurrence of the House is respectfully requested.  
Which amendment was concurred in.

*Ordered*, That the clerk inform the Senate thereof.

On motion by Mr. Duvall,  
The order of business was suspended.

Mr. Duvall introduced,

No. 373. A bill to regulate clerk's fees in the Probate Court of Park county ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Kelso,  
The order of business was suspended.

Mr. Kelso introduced,

No. 374. A bill for the relief of the land owners along the northern line of Ohio county ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered,* That the clerk inform the Senate thereof.

On motion by Mr. Alexander,  
The order of business was suspended.

Mr. Alexander introduced,

No. 375. A bill to change a portion of a certain State road in the county of Clay;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered,* That the Clerk inform the Senate thereof.

Mr. Johnston of Putnam, moved to take up bill of the Senate, No. 106. A bill to change a certain State road therein named ; Which motion did not prevail.

Mr. Winstandley, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred a resolution of the House in relation to the amount of Canal Scrip commonly called "White dog," which was outstanding July 1, 1847, stating in detail the amount issued by the Commissioners, Superintendents, or Engineers on the Wabash and Erie Canal, and by the State, and the respective cancellations, report that the shortness of time and the press of other legislative business, has prevented them from making the necessary investigation, and therefore respectfully ask to be discharged from the further consideration thereof;

Which was concurred in.

Mr. Ross of Wabash moved the House take up bill of the Senate, No. 279. A bill to incorporate the Lagro, Marion, and Jonesboro Plank Road Company ;

Which motion prevailed, and the House took up the message containing the above named bill.

A message from the Senate by Mr. Test their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof, to-wit :

[The bills contained in this message are numbered as follows : Nos. 161, 169, 179, 189, 233, 264, 267, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, and 285.]

No. 279. An act to incorporate the Lagro, Marion and Jonesboro Plank Road Company ;

In which the concurrence of the House of Representatives is respectfully requested.

Senate bill No. 279, contained in the foregoing message,

Was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Hicks,

The House took up bill of the Senate,

No. 114. A bill to incorporate the Franklin and White River Turnpike Company.

Mr. Hicks moved to amend section 16, as follows :

*Provided*, The Board of Commissioners of the county of Johnson, at the time of consenting to such location, may if they think proper fix a rate of tolls, to be entered on the records of said Board, above which rates said company shall never be allowed to charge, without the consent of said board.

Also amend section 18 in the proper place, as follows :

*Provided*, The same shall not exceed the rates fixed by the Board of Johnson county, or by said Board previously consented to : *And provided further*, That said Board shall at no time have the power to reduce the tolls below the rates fixed by them, as provided in section sixteen of this act.

Which amendment was adopted.

Mr. Dougherty of Morgan moved to insert the county of Morgan ; Which motion prevailed.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

On motion by Mr. Dowling,

The order of business was suspended for the purpose of giving him an opportunity to offer a resolution :

On motion by Mr. Dowling,

*Resolved unanimously*, That the thanks of this House, and every member thereof, are due, and are hereby tendered to George W. Carr, Esq., Speaker, for the ability, impartiality, and promptitude with which he has discharged the duties of the Chair during the present session of the General Assembly.

Mr. Withers on leave,

Offered the following resolution :

*Resolved*, That no member shall be permitted to occupy the floor more than ten minutes, on any subject that may come before the House during the remainder of the session.

Which,  
Under the rule, lies over one day.

On motion by Mr. Donnouhe,  
The House took up bill of the Senate,  
No. 106. A bill to change a certain State road therein named ;  
Which was read a second time and ordered to a third reading.

On motion,  
The rules were suspended and the bill read a third time, and  
passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Miller,  
The House adjourned.

2 o'clock, P. M.

The House met.

On motion by Mr. Meredith,  
The House took up messages from the Senate.  
A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, with the accompanying engrossed amendment thereto, to-wit :

No. 263. An act for the relief of the heirs of Alexander Smith, late of Adams county, deceased.

In which amendment the concurrence of the House is respectfully requested.

Which amendment was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Maddox moved to take from the table bill of the House,  
No. —. A bill for the relief of Baker Spencer ;  
Which motion did not prevail.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof to-wit:

No. 268. A bill to change the name of Emanuel Wise to Emanuel Wise Stafford.

In which the concurrence of the House is respectfully requested.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills of the House with the accompanying engrossed amendments thereto, to-wit:

No. 14. An act to ascertain and establish the boundaries of certain roads in the counties of Warren and Montgomery.

No. 56. An act to prevent Tseasurers and other officers from receiving constructive percentages.

No. 161. An act providing for the election of township Assessors in the counties of Dearborn, Switzerland, and Ohio.

No. 194. An act authorizing the election of an additional justice of the peace in Adams township, Madison county.

No. 210. An act to compel speculators to pay a road tax equal to that paid by actual settlers, and for other purposes, in the county of Tipton.

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to bills of the House, Nos. 14, 56, 161, 194, and 210,

Were concurred in by the House.

*Ordered*, That the Clerk inform the Senate thereof.

A message from his Excellency the Governor, by Mr. Carr, his private Secretary:

MR. SPEAKER:

I am directed by the Governor to inform the House of Representatives, that on the 13th inst., he approved and signed the following bills and joint-resolutions:

No. 173. An act to locate a State road in the counties of Shelby and Rush.

No. 202. An act to amend an act entitled, "an act to incorporate the Terre Haute and Richmond Rail Road Company," approved Jan. 26, 1847, and an act amendatory thereto, approved February 16, 1848.

No. 208. An act to confirm a certain change in the Michigan road, in Cass county.

No. 244. An act to incorporate the American University.

No. 127. An act to repeal an act entitled, "an act providing the opening and repairing public roads and highways in the county of Monroe," approved February 3, 1841, and for other purposes.

No. 190. An act to vacate the town of Ventersville, in Morgan county.

No. 193. An act to legalize the assessment of taxable property in Wayne township, Bartholomew county, for the year 1848.

No. 179. An act to amend the plat of Cambridge City.

No. 200. A joint-resolution on the subject of donating lands by the General Government.

No. 204. An act to amend an act extending the jurisdiction of justices of the peace in certain criminal cases, approved February 16, 1848.

No. 201. A joint-resolution on the subject of publishing the general laws of the present session.

No. 49. An act relative to school funds in the county of Clark.

No. 320. An act fixing the fees of the Auditor of Switzerland county.

All of which originated in the House of Representatives.

*January 15th, 1849.*

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill of the House of Representatives, No. 95, entitled "An act to incorporate the Central Plank Road Company," with sundry amendments thereto, in which the concurrence of the House of Representatives is respectfully requested.

Mr. Brady moved to concur in the first amendment of the Senate, with the following amendment :

"That the remaining four directors be citizens be citizen stockholders of Marion county;"

Which motion prevailed.

The question being on concurring in the second amendment of the Senate was decided in the affirmative.

Mr. Dunn moved to concur in the 3d amendment with the following amendment :

*"Provided,* That if the average nett receipts of said company for twenty years, shall amount to ten per cent per annum on the amount expended by said company in the construction of said road, then the State shall have the privilege of redemption as aforesaid, by paying the amount of the expenses of construction, without paying anything for the expenses of repairs ;"

Which motion prevailed.

Mr. Johnston of Putnam moved to concur in the fourth amendment of the Senate, by adding after the word "thereafter" in the 30th section the following :

" And if the said road is not commenced within one year from the passage of this act, and is not completed within seven years thereafter, that this charter and the privileges in the same granted, shall be thereby forfeited and rendered null and void to all intents and purposes."

Mr. Dowling moved to add the following proviso :

*"Provided,* It shall be obligatory on said company to complete the road to the western line of Hendricks county, within four years, and to the western line of Putnam county within seven years ;"

Which amendment was accepted by Mr. Johnston of Putnam.

The question then being on concurring in the amendment as amended ;

Was decided in the affirmative.

*Ordered,* That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House with the accompanying engrossed amendment of the Senate :

No. 174. An act defining the boundaries of the county of Blackford ;

In which amendment the concurrence of the House is respectfully requested.

Mr. Orr moved to concur in the amendment of the Senate, with the following amendment :

*"Provided however,* That this act shall not take effect and be in force, until a majority of the qualified voters of the county of Delaware shall have decided in favor thereroft, in the manner above prescribed ;"

Which motion did not prevail.

Mr. Kelso, moved to concur with the following amendment:

*"Provided however, That this act shall not take effect and be in force, until a majority of the qualified voters of said counties of Delaware and Blackford shall have decided in favor thereof, in the manner above prescribed ;"*

Which motion did not prevail.

Mr. Wood moved to concur in the amendment of the Senate.

The ayes and noes being demanded by Messrs. Orr and Kelso,

*Those who voted in the affirmative are :*

Messrs. Barbour, Blakemore, Buskirk, Caldwell, Casselberry, Chambers, Decker, Dobson, Dowling, Drake, Edmonston, Ford, Harlan, Hicks, Hill, Howell, Huckleberry, James, Jones of Huntington, Line, Maddox, Meacham, Morgan, Odell, Osborn, Parker of Brown, Place, Rice, Riley, Rippey, Ross of Miami, Ross of Wabash, Shaw, Smith, Starbuck, Thompson, Winstandley, Withers, Wood, Young and Mr. Speaker—41.

*Those who voted in the negative are :*

Messrs. Alexander, Brady, Donnohue, Dougherty of Boone, Dougherty of Morgan, Hunt, Johnson of Dearborn, Jones of Bartholomew, Nicholson, Tuttle and Vance—12.

There being no quorum voting, the question was not decided.

Mr. Buskirk moved a call of the House;

Which motion prevailed.

After some time spent in the call, it appeared that a quorum was present, seventy-four members having answered to a call of their names.

On motion by Mr. Dowling,

The further call of the House was dispensed with.

Leave of absence was granted to Mr. Pierce.

Mr. Buskirk moved to reconsider the vote on concurring in the amendment of the Senate to bill of the House No. 174, a bill defining the boundaries of the county of Blackford;

Which motion did not prevail.

Mr. Morgan moved to take up bill of the House

No. 159. A bill to extend the Lawrenceburg and Rushville railroad to the coal region, near Point Commerce, in Green county;

Which motion did not prevail.

Mr. Kelso moved to take up bill of the House

No. 43. A bill to vacate a part of the town of Sparta, in Noble county;

Which motion prevailed.

The bill was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Edwards, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred bill of the House No. 267, entitled "an act to incorporate the town of Anderson, in Madison county," have had the same under consideration, and directed me to report it back without amendment, and recommend its passage :

No. 267. A bill to incorporate the town of Anderson, in Madison county.

Which was ordered to be engrossed.

On motion,

The rules were suspended and the bill was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Ross of Miami moved to suspend the rules for the purpose of introducing a bill;

Which motion did not prevail.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following engrossed bills of the House, with the accompanying engrossed amendments of the Senate thereto, to-wit:

No. 12. An act to amend an act entitled "an act to incorporate the Madison and Brownstown Turnpike Company," which became a law 11th February, 1848;

No. 149. An act for the relief of John Smith, of Owen county;

No. 276. An act to provide for the election of prosecuting attorneys in the fourth and eighth judicial circuits;

In which amendments the concurrence of the House is respectfully requested.

Which amendments of the Senate to bills of the House Nos. 12, 249, and 276, were concurred in.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate does not concur in the engrossed amendments of the House to the following engrossed bills of the Senate, to-wit:

No. 8. An act to incorporate the Richmond and Williamsburg Turnpike Company;

No. 26. A joint resolution on the independence of Liberia.

Mr. Meredith moved that the House recede from their amendment to bill of the Senate No. 8;

Which motion did not prevail.

Mr. Kelso moved that the House insist on their amendment to a joint resolution of the Senate No. 26;

Which motion prevailed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Kelso moved to suspend the order of business for the introduction of bills;

A message from the Senate by Mr. Test, their Secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendment of the House to bill of the Senate :

No. 24. An act<sup>repealing</sup> a certain act therein named; and adopted the accompanying engrossed amendment of the Senate thereto;

In which the concurrence of the House of Representatives is respectfully requested.

Which amendment was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House with the accompanying engrossed amendment thereto, to-wit:

No. 124. An act to incorporate the Covington Draw Bridge Company;

In which amendment the concurrence of the House is respectfully requested.

Which amendment was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

The House then proceeded to the consideration of bills of the

Senate contained in a message which had been taken up in the early part of the day.

No. 276. A bill to amend an act entitled "an act to incorporate the town of Bloomington, in the county of Monroe," approved 13th January, 1845;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Kelso,

The order of business was suspended for the purpose of allowing him to make a report.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 207, to authorize Alvin S. Pitcher, to sell real estate &c., have had the same under consideration and have directed me to report the same back to the House, with one amendment, and ask to be discharged from the further consideration of the subject.

Strike out all after the enacting clause and insert the following :

That James H. Pepper, Esq., and Alex. C. Douney, Esq., of Ohio county, be and they are hereby erected and appointed receivers for and on behalf of the State of Indiana, to receive and manage under the provisions of this act, all the estate, both real and personal, of which Leon Bauman, late of Rising Sun, in Ohio county, (now deceased,) died seized and possessed of, or in any wise entitled to.

Sec. 2. That before entering upon the duties of said trust, they shall give bond, jointly or separately, as they may choose, with security to be approved by the associate judges of the Ohio circuit court, in any sum not less than double the cash value of said estate as estimated by said associate judges, which said bond or bonds shall be made payable to the State of Indiana, and shall be conditioned for the faithful performance of said trust.

Sec. 3. That it shall be the duty of said Trustees, so soon as such bond or bonds shall be filed as aforesaid, to demand of and receive from John Tait, jr., the administrator of the estate of said Leon Bouman, of and from Oliver S. Pitcher, and from any and every other person or persons whomsoever who may in any way or for any cause have any moneys, or any property of any sort or kind, in any way belonging to said estate; and that said receivers are hereby fully authorized to commence and prosecute to final judgment any suit or suits, either in law or equity, in the circuit or probate courts of Ohio county, Indiana, and that process issued from either of such courts by the clerk thereof may be served on any defendant in any county in this State, by the sheriff or other

competent officer of the county in the county where such service is made, and such defendant or defendants shall be compelled to answer thereto, or be defaulted as in other cases.

Sec. 4. That said receivers shall have power to employ such counsel as may be necessary to prosecute any such suit or suits, and pay therefor a reasonable compensation out of said estate, under the order and direction of the court trying the case.

Sec. 5. It shall be the duty of said receivers to loan out all the moneys which shall come to their hands belonging to said estate, (after paying the just and legal expenditures thereof, if any,) for any term of time not exceeding five years, and take good mortgaged security therefor, payable without any relief from the valuation or appraisement laws of Indiana, at a rate of interest not exceeding ten per centum per annum, the interest payable semi-annually.

Sec. 6. That the interest shall be paid to said receivers, and by them paid over to Mrs. Nancy Hoover, the widow of Abraham Hoover, deceased, for the use of herself and children; Provided, however, that it shall be lawful for said receivers to retain out of said interest, a reasonable compensation for their services in this behalf.

Sec. 7. That the real estate unsold shall remain unsold, and that part which has been sold may be retained and paid for by the purchaser or relinquished at his election, but if he elect to surrender said real estate to said receivers, he shall do so within ninety days from the passage of this act, and in that case, the whole of said real estate shall remain unsold for the term of five years, (except as herein after provided,) and said Nancy Hoover and her family shall have, use, and occupy the same or part thereof, and have, receive, and use the rents and profits thereof, or so much thereof, as shall not be sold. Provided, however, that should said Leon Bauman have heirs, and should said heirs furnish due and legal proof of their said heirship at any time within five years from the passage of this act, then and in that case said receivers or their successors in trust and the said Nancy Hoover shall surrender up to said heirs any and all of said property, both real and personal, belonging to the estate of said Leon Bauman, deceased. And said heirs shall have power to sell and convey the same according to the laws of Indiana, and not otherwise. But no such transfer shall take place, without an order of the Ohio circuit court, made upon due and strict legal proof under the laws of Indiana, and the general rules of evidence to be furnished by the person or persons claiming the same: that they are the lawful heirs of said Leon Bauman deceased, and all the heirs, otherwise if only part of the heirs of said Bauman, deceased, make and furnish such proof as aforesaid, they shall each receive a proportionate share of said estate, and no more.

Sec. 8. That if no proof as above in the last preceding section is provided, of the right of any one by heirship to said estate, or any part thereof, be made and furnished within five years from the passage of this, then said estate, both real and personal, shall become

the property of said Nancy Hoover and her three children, the heirs of said Abraham Hoover, as their own in fee simple forever, and the State of Indiana, hereby relinquishes to the said Nancy Hoover and her three children aforesaid, all the right, title, and interest which the said State has or can have in, to, and over said estate, both real and personal, and every part and parcel thereof.

Sec. 9. That in case of a vacancy in the trust aforesaid, by reason of the death, resignation, removal, or refusal to serve of said receivers or either of them, it shall be the duty of the County Commissioners of Ohio county, to appoint some suitable person or persons to fill such vacancy, and the person or persons so appointed, shall be governed in all things by the foregoing provisions of this act.

Sec. 10. That in case said Trustees or receivers, or either of them shall mismanage said estate, they may be removed upon due proof made before the associate judges of the Ohio circuit court, at any time.

Sec. 11. This act is hereby declared to be a public act, and shall be in force from and after its passage.

Mr. Dunn moved to lay the amendment on the table;  
Which motion did not prevail.

The question then recurring on the adoption of the amendment, was decided in the affirmative.

The bill as amended, was ordered to be engrossed.

On motion,

The rules were suspended and the bill read a third time and passed.

On motion by Mr. Kelso,

The title of the bill was amended to read as follows :  
"A bill to preserve the estate of Leon Bauman, deceased."

*Ordered*, That the clerk inform the Senate thereof.

Mr. Barbour moved to reconsider the vote on the motion to recede from the amendment of the House to bill of the Senate, No. 8, entitled "A bill to incorporate the Richmond and Williamsburgh Turnpike Company ;"

Which motion prevailed.

On motion by Mr. Meredith,

The House receded from their amendment.

*Ordered*, That the Clerk inform the Senate thereof.

The House again proceeded to the consideration of bills of the Senate, contained in a message heretofore taken up.

No. 277. A bill for the relief of the heirs of Samuel Goldsberry, deceased ;

No. 278. A bill to incorporate the Waveland Academy of Montgomery county ;

No. 280. A bill allowing grace on all bills of exchange ;

Were each read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 281. A bill to amend an act, entitled "An act to require certain Statutes to be published in some newspaper at Indianapolis, and for other purposes;

Was read a first time, and passed to a second reading.

No. 282. A bill to incorporate the Grand and Subordinate Temples of Honor of the State of Indiana;

No. 283. A bill to incorporate the Newburg Cotton Mill;

No. 284. A bill to legalize certain roads in Jefferson county;

No. 285. A bill fixing the time of holding the February and August terms of the probate courts;

Were each read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 161. A bill respecting attorneys at law;

Was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 169. A bill to amend the 30th chapter of article 8th of the Revised Statutes of 1843;

Was read three several times, the rules having been suspended therefor,

And the question being,

"Shall the bill pass?"

Was decided in the negative.

No. 275. A bill to amend an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors;

Was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and,

On motion by Mr. Buskirk,

Laid on the table.

No. 131. A bill to amend the charter of the Indianapolis and Bellefontaine Railroad;

Was read a second time.

Mr. Ryan moved to amend the bill as follows:

"1st. Strike out the word 'twenty,' where it occurs in the the 3d line in the 2d section, and insert 'fifty.'

"2d. Strike out all of the fourth section.

"3d. Strike out the word 'ten,' where it occurs in the 30th section, and insert 'twenty-five;'"

Which amendments were adopted.

On motion,  
The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Withers moved that the House adjourn.  
Which motion did not prevail.

No. 179. A bill relative to the practice in the probate courts ;  
Was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time.

Mr. Wolfe moved to lay the bill on the table.

Which motion did not prevail.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 189. A bill relative to Canal scrip ;  
Was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time, and,

On motion by Mr. Edmonston,

Laid on the table.

The Speaker laid before the House the following communication from Charles W. Cady, Secretary of the Indiana Mutual Insurance Company, and the accompanying Report of the Board of Directors of said Company :

OFFICE INDIANA MUTAL FIRE INSURANCE COMPANY, }  
INDIANAPOLIS, Jan. 13, 1849. }

Hon. G. W. CARR,

*Speaker of the House of Representatives :*

*Sir*:—Herewith, I hand you a copy of the twelfth Annual Report of the Directors to the members of this Company, as required by the twenty second section of the act of incorporation.

Very respectfully,

Your obedient servant,

C. W. CADY, *Secretary*.

## REPORT.

OFFICE INDIANA MUTUAL FIRE INSURANCE COMPANY,  
*Indianapolis, December 6, 1848.*

The Board of Directors of said Company beg leave to lay before the members of the Company, at their twelfth Annual meeting, the following Report of its affairs and operations for the year commencing December 1, 1847, and terminating Nov. 30, 1848.

Policies have been issued during the year to the number of 238.  
 Insuring on property to the amount of, - - - 277,390 00  
 The premium notes on which amount to, - - - 19,127 70  
 The 5 per centage on notes is, - - - - 956 38 $\frac{1}{2}$   
 And the fees of policies amount to, - - - - 238 00

The whole number of policies since March 20,  
 1837, is - - - - - 4,022 00  
 Covering property to the amount of, - - - - 6,663,390 00  
 Of which has been discharged the sum of, - - - 5,143,650 00  
 Leaving at risk Nov. 30, 1848, - - - - 1,519,740 00

The whole amount of premium notes since March  
 20, 1837, is - - - - - 466,571 70  
 Of which has been discharged the amount of, - - - 362,448 85  
 Leaving in force Nov. 30, 1848, - - - - 104,122 85

**SCHEDULE of losses by Fire, estimated interest thereon, and other Liabilities sustained and incurred by the Indiana Mutual Fire Insurance Company since October 11, 1847, with the rate of assessment.**

| Date of Loss.                                                                                                                                                                                               | Name of Assured.                                                                                                                                                    | Residence.                                                                                                                                                                                                                    | Am't Loss.                                                                                                                                                        | Estimated Interest.                                                                                                        | Rate of Assessments.                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1847, January 10.<br>" " January 9.<br>" " October 20.<br>" " November 27.                                                                                                                                  | Hiram Bacon,<br>C. Decker, and Oliver Ladd,<br>Robt. R. Underhill,<br>Joseph G. Denning,<br>Guy C. Welch,<br>A. R. & J. H. Harper,<br>Trustees Presbyterian Church, | Marion County,<br>Evansville,<br>Indianapolis,<br>Columbus,<br>Terre Haute,<br>South Bend,<br>New Castle,<br>Lebanon,<br>Manchester,<br>Laurel,<br>Vevay,<br>Indianapolis,<br>New Albany,<br>Mishawaka,<br>Wabash,<br>Wabash, | 4 00<br>12 80<br>10 50<br>1,600 00<br>7 50<br>1,700 00<br>5 00<br>433 33<br>2,910 00<br>67 00<br>9 00<br>47 76<br>75 00<br>190 00<br>800 00<br>8,671 89<br>418 17 | 47<br>1 52<br>76<br>104 80<br>43<br>86 93<br>26<br>21 66<br>144 04<br>3 31<br>43<br>1 80<br>2 83<br>5 42<br>21 73<br>21 73 | Requiring 1½ per cent.<br>Requiring 2 per cent.<br>Requiring ¾ per cent.<br>Requiring 3½ per cent.<br>Requiring 1⅔ per cent.<br>Requiring 1⅔ per cent.<br>Requiring 2 per cent.<br>13 per cent. |
| 1848, January 17.<br>" " February 23.<br>" " February 27.<br>" " February 29.<br>" " March 3.<br>" " March 4.<br>" " March 7.<br>" " May 14.<br>" " May 15.<br>" " July 10.<br>" " July 18.<br>" " July 18. | Peter King,<br>Samuel Williams,<br>U.P. Schenck,<br>David Craighead,<br>Sami. Parker,<br>H. Johnson,<br>Allen W. Smith,<br>Peter King,                              |                                                                                                                                                                                                                               |                                                                                                                                                                   |                                                                                                                            |                                                                                                                                                                                                 |
|                                                                                                                                                                                                             |                                                                                                                                                                     | Total,<br>Incidental expenses,<br>Contingent losses,<br>Totals,                                                                                                                                                               | \$9,090 06<br>1,500 00<br>2,000 00<br><hr/> 12,590 06                                                                                                             | 418 17                                                                                                                     |                                                                                                                                                                                                 |

## RECEIPTS.

The receipts of the past year have been as follows:

|                                              |   |   |   |   |                 |                                   |
|----------------------------------------------|---|---|---|---|-----------------|-----------------------------------|
| Balance November 30, 1847,                   | - | - | - | - | 5,495           | 56 $\frac{1}{4}$                  |
| Five per centage on premium notes,           | - | - | - | - | 956             | 38 $\frac{1}{2}$                  |
| Fees for policies,                           | - | - | - | - | 238             | 00                                |
| Assessments on discharged notes,             | - | - | - | - | 1,226           | 85                                |
| Interest on assessments;                     | - | - | - | - | 125             | 81                                |
| Assessment No. 3, ordered Sept. 26, 1840,    | - | - | - | - | 9               | 05                                |
| Assessment No. 4, ordered Aug. 11, 1841,     | - | - | - | - | 108             | 32                                |
| Assessment No. 5, ordered July 28, 1842,     | - | - | - | - | 499             | 53                                |
| Assessment No. 6, ordered Aug. 25, 1843,     | - | - | - | - | 409             | 71                                |
| Assessment No. 8, ordered Sep. 4, 1845,      | - | - | - | - | 11              | 25                                |
| Assessment No. 9, ordered October 10, 1846,  | - | - | - | - | 127             | 19                                |
| Assessment No. 10, ordered October 11, 1847, | - | - | - | - | 9,346           | 45                                |
| Assessment No. 11, ordered October 7, 1848,  | - | - | - | - | 166             | 99                                |
| <b>Total,</b>                                | - | - | - | - | <b>\$18,721</b> | <b>09<math>\frac{3}{4}</math></b> |

## EXPENDITURES.

The expenditures of the year have been as follows:

|                                  |   |   |     |    |                 |                                   |
|----------------------------------|---|---|-----|----|-----------------|-----------------------------------|
| Losses by fire,                  | - | - | -   | -  | 6,863           | 88                                |
| Interest on losses,              | - | - | -   | -  | 2,587           | 75                                |
| <b>Profit and loss,</b>          | - | - | -   | -  | <b>9,451</b>    | <b>63</b>                         |
| Abatement,                       | - | - | -   | -  | 56              | 90                                |
| Agents, for commission,          | - | - | 843 | 79 |                 |                                   |
| Agents, for applications,        | - | - | 236 | 00 | <b>1,079</b>    | <b>79</b>                         |
| Printing and advertising,        | - | - | -   | -  | 74              | 73                                |
| Books and stationery,            | - | - | -   | -  | 34              | 56                                |
| Postage on letters and packages, | - | - | -   | -  | 108             | 12                                |
| Taxes,                           | - | - | -   | -  | 71              |                                   |
| Professional services,           | - | - | -   | -  | 12              | 50                                |
| Investigation of losses,         | - | - | -   | -  | 37              | 75                                |
| Costs of suits,                  | - | - | -   | -  | 35              | 64                                |
| Rent and heat of office rooms,   | - | - | -   | -  | 300             | 00                                |
| President and treasurer,         | - | - | -   | -  | 500             | 00                                |
| Secretary,                       | - | - | -   | -  | 1,200           | 00                                |
| Clerk hire,                      | - | - | -   | -  | 309             | 75                                |
| <b>Assessment No. 7, repaid,</b> | - | - | -   | -  | <b>3,693</b>    | <b>55</b>                         |
|                                  |   |   |     |    | 2               | 83                                |
| <b>Balance, Nov. 30, 1848,</b>   | - | - | -   | -  | <b>13,276</b>   | <b>46</b>                         |
|                                  |   |   |     |    | 5,444           | 63 $\frac{3}{4}$                  |
| <b>Total,</b>                    | - | - | -   | -  | <b>\$18,721</b> | <b>09<math>\frac{3}{4}</math></b> |
| H 37                             |   |   |     |    |                 |                                   |

## TOTAL RECEIPTS.

(Since March 20, 1837.)

|                                              |   |   |   |        |               |
|----------------------------------------------|---|---|---|--------|---------------|
| Five per centage on premium notes,           | - | - | - | 23,328 | 58½           |
| Fees for policies,                           | - | - | - | 4,022  | 00            |
| Assessments on discharged and expired notes, | - | - | - | 18,148 | 42½           |
| Loans to pay losses,                         | - | - | - | 30,647 | 60            |
| Assessment No. 1, ordered October 9, 1838,   | - | - | - | 6,359  | 33            |
| Assessment No. 2, ordered Sept. 30, 1839,    | - | - | - | 15,324 | 58            |
| Assessment No. 3, ordered Sept. 26, 1840,    | - | - | - | 28,357 | 43            |
| Assessment No. 4, ordered Aug. 11, 1841,     | - | - | - | 15,763 | 10            |
| Assessment No. 5, ordered July 28, 1842,     | - | - | - | 24,507 | 16            |
| Assessment No. 6, ordered Aug. 25, 1843,     | - | - | - | 9,846  | 80            |
| Assessment No. 7, ordered Sept. 9, 1844,     | - | - | - | 6,097  | 44            |
| Assessment No. 8, ordered Sept. 4, 1845,     | - | - | - | 9,267  | 69            |
| Assessment No. 9, ordered Oct. 10, 1846,     | - | - | - | 8,066  | 06            |
| Assessment No. 10, ordered Oct. 11, 1847,    | - | - | - | 9,473  | 89            |
| Assessment No. 11, ordered Oct. 7, 1848,     | - | - | - | 166    | 99            |
| Interest on assessments,                     | - | - | - | -      | 1,049 21      |
| Profit and loss,                             | - | - | - | -      | 235 98½       |
| Judgments on premium notes,                  | - | - | - | -      | 240 19        |
| Total,                                       | - | - | - | -      | \$210,902 46½ |

## TOTAL EXPENDITURES.

(Since March 20, 1837.)

|                                    |   |   |   |   |   |           |     |
|------------------------------------|---|---|---|---|---|-----------|-----|
| Losses by fire,                    | - | - | - | - | - | 114,241   | 71  |
| Interest on losses,                | - | - | - | - | - | 9,484     | 64  |
| Expense,                           | - | - | - | - | - | 48,517    | 10½ |
| Abatement,                         | - | - | - | - | - | 373       | 56½ |
| Interest, discount, and exchange,  | - | - | - | - | - | 1,909     | 53½ |
| Profit and loss,                   | - | - | - | - | - | 246       | 70  |
| Assessment No. 1, repaid,          | - | - | - | - | - | 9         | 45  |
| Assessment No. 2, repaid,          | - | - | - | - | - | 2         | 83  |
| Judgment on premium notes, repaid, | - | - | - | - | - | 24        | 69  |
| Loans repaid,                      | - | - | - | - | - | 30,647    | 60  |
| Balance, Nov. 30, 1848,            | - | - | - | - | - | 205,457   | 82½ |
| Total,                             | - | - | - | - | - | 4,444     | 63½ |
|                                    | - | - | - | - | - | \$210,902 | 46½ |

*Note.*—Of said balance the sum of \$176 75½ is in cash, and the remainder is due from agents and on other accounts.

## PROGRESS OF THE COMPANY.

The following table exhibits at the end of each month the number of policies issued, amount insured, amount of premium notes, of five per centage, increase of amount insured, amount discharged, and amounts at risk and in force.

| Months.        | Pol-<br>icies. | Amount<br>Insured. | Premium<br>Notes. | Five<br>per cent. | Increase. | Discharged.     | At Risk. | In Force.      |                   |
|----------------|----------------|--------------------|-------------------|-------------------|-----------|-----------------|----------|----------------|-------------------|
|                |                |                    |                   |                   |           |                 |          | Amt.<br>Iss'd. | Premium<br>Notes. |
| 1847, Dec. 31, | 3817           | 6,421,010          | 449,731           | 55                | 22,486    | 57 <sup>3</sup> | 35,010   | 2,287          | 55                |
| 1848, Jan. 31, | 3843           | 6,446,810          | 451,498           | 95                | 22,574    | 94 <sup>3</sup> | 25,800   | 1,767          | 40                |
| " Feb. 29,     | 3860           | 6,472,050          | 453,235           | 40                | 22,661    | 77              | 25,240   | 1,736          | 45                |
| " March 31,    | 3881           | 6,498,110          | 454,819           | 80                | 22,740    | 99              | 26,060   | 1,584          | 40                |
| " April 30,    | 3905           | 6,523,880          | 456,814           | 80                | 22,840    | 74              | 25,770   | 1,995          | 00                |
| " May 31,      | 3918           | 6,539,780          | 458,049           | 90                | 22,902    | 49 <sup>1</sup> | 15,900   | 1,235          | 10                |
| " June 30,     | 3930           | 6,548,630          | 458,742           | 50                | 22,937    | 12 <sup>2</sup> | 8,850    | 692            | 60                |
| " July 31,     | 3944           | 6,557,890          | 459,462           | 45                | 22,973    | 13 <sup>4</sup> | 9,260    | 719            | 95                |
| " Aug. 31,     | 3957           | 6,573,990          | 460,524           | 70                | 23,026    | 23 <sup>2</sup> | 16,100   | 1,062          | 25                |
| " Sept. 30,    | 3973           | 6,597,210          | 462,505           | 10                | 23,125    | 25 <sup>2</sup> | 23,220   | 1,980          | 40                |
| " Oct. 31,     | 3997           | 6,620,040          | 464,176           | 50                | 23,208    | 82 <sup>2</sup> | 22,830   | 1,671          | 40                |
| " Nov. 30,     | 4022           | 6,663,390          | 466,571           | 70                | 23,328    | 58 <sup>1</sup> | 43,350   | 2,395          | 20                |

## AFFAIRS OF THE COMPANY.

The condition of the company has not materially changed since the last annual report. A large amount of assessments remain unpaid, which would, if in the hands of the Treasurer, enable him at once to discharge all outstanding drafts. From the schedule of losses by fire, hereto annexed, showing in detail to whom allowances have been made since the organization of the company on the 20th March, 1837, it will appear that prior to the losses of the year just closed, there had been allowed the very large amount of \$126,276 83, of which had been paid, as appears from the items of total expenditures, the sum of \$114,241 71, leaving outstanding on drafts the sum of \$12,035 12, exclusive of interest. Assessments have hitherto been ordered sufficient to cover these losses, but from various causes payments have not been made with such promptitude as to allow the Treasurer to discharge them. To resort to coercive measures in all instances of delinquency would, in the opinion of the Board, protract the collection of the amounts due the office. A safer and better course is to appeal to members to discharge their obligations to their associate brethren on the grounds of their just indebtedness and their personal obligations of honor. There are many cases, of course, where collections must be made by suits; and this has been done in all cases where it seemed the likeliest method of securing the assessments. Delinquent members should not forget that it is owing to their neglect or refusal to pay the assessments made upon them which injures the usefulness and efficiency of the company's operations. During the coming year new efforts will be made to close old assessment dues, and to discharge all outstanding drafts. This accomplished, there will be no difficulty in making future assessments cover the annual losses.

It appears that the following assessments have been made on members:

|                     |   |   |   |   |                           |
|---------------------|---|---|---|---|---------------------------|
| October 9, 1838,    | - | - | - | - | $4\frac{3}{4}$ per cent.  |
| September 30, 1839, | - | - | - | - | $8\frac{1}{4}$ per cent.  |
| September 26, 1840, | - | - | - | - | $13\frac{1}{2}$ per cent. |
| August 11, 1841,    | - | - | - | - | $8\frac{1}{4}$ per cent.  |
| July 28, 1842,      | - | - | - | - | $13\frac{1}{2}$ per cent. |
| August 25, 1843,    | - | - | - | - | 7 per cent.               |
| September 9, 1844,  | - | - | - | - | $6\frac{1}{2}$ per cent.  |
| September 4, 1845,  | - | - | - | - | 13 per cent.              |
| October 10, 1846,   | - | - | - | - | $9\frac{1}{4}$ per cent.  |
| October 11, 1847,   | - | - | - | - | $12\frac{3}{4}$ per cent. |
| October 7, 1848,    | - | - | - | - | 13 per cent.              |

Total, - - - -  $109\frac{3}{4}$  per cent.

To this add two advance payments of 5 per cent, 10

And the total amount would be - - - -  $119\frac{3}{4}$  per cent.

This gives an annual rate of a little less than 11 per cent., or less than *three-fourths* of the same expense on similar risks in stock of-

fices. For instance : The cost in this office has been on a risk of one per cent. per annum for the whole term of eleven and one-half years, by assessment for \$1000, - - - - - \$71 85

Add two fees for polices, - - - - - 2 00

In a stock office the annual premiums would

amount for the same period to - - 115 00

And the fee for policy and renewal certificates

would be - - - - - 6 00

121 00

Leaving a balance in favor of this office of - - \$47 15

By rejecting all extra hazardous risks, limiting insurances in the same exposure to \$5000, and looking to the improved manner of building, and better supply of fire apparatus in our principal towns, there can be no doubt that for the future the cost of insurance will not exceed one-half of that in stock offices.

Respectfully submitted in behalf of the Directors,

B. F. MORRIS, *President.*

*SCHEDULE of Losses by Fire sustained and allowed by the Indiana Mutual Fire Insurance Company, from  
March 20, 1837, to October, 1848.*

| Year. | Assured.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Residence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Property Assured.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Amount allowed.                                                                                                                                                                                                                                                                                                                                        | Total.                |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| 1838  | R B Stevenson,<br>Samuel Brown,<br>Asa Heaton,<br>James P Wilson,<br>John Shanklin,<br>Hadlock & Woodworth,<br>Isaac Ash,<br>Moses Cliford,<br>Joseph Kellum,<br>Trustees Hanover College,<br>Samuel Merrill,<br>Espy & Sloan, and J R Ramsay,<br>Espy & Sloan,<br>J P Dugan & Co.,<br>John Phelps,<br>C B Lewis,<br>Barlow, Ames & Co.,<br>J L Bell,<br>J B Rappleyea,<br>Dorsey, Warren & Co.,<br>William Quarles,<br>John Taylor,<br>J L Sloan,<br>Samuel Grimes,<br>Edward Tate,<br>E Tate and J P Dunn,<br>S S Harding,<br>Matthew Stewart,<br>Jacob D Early,<br>Lindley, Brown, and Early,<br>Bailey & Elkin,<br>Jacob D Early,<br>D S Donaldson, | Logansport,<br>Madison,<br>Knightstown,<br>Knightstown,<br>Evansville,<br>New Albany,<br>Greencastle,<br>Knightstown,<br>Faysville,<br>South Hanover,<br>Indianapolis,<br>Indianapolis,<br>Indianapolis,<br>Delphi,<br>Delphi,<br>Madison,<br>Princeton,<br>Pendleton,<br>Evansville,<br>New Albany,<br>Indianapolis,<br>Lafayette,<br>Covington,<br>Delphi,<br>Lawrenceburg,<br>Lawrenceburg,<br>Milan,<br>Terre Haute,<br>Terre Haute,<br>Terre Haute,<br>Terre Haute,<br>Terre Haute, | Store,<br>Dwelling House,<br>Dwelling House,<br>Dwelling House and Furniture,<br>Frame House,<br>Finishing and Smith shop, and contents,<br>Brick House,<br>Barn,<br>Dwelling house, Cabinet shop, and tools,<br>Boarding house,<br>Dwelling house,<br>Cabinet work shop,<br>Cabinet ware, tools, and lumber,<br>Store house, and stock in trade,<br>Store, and stock in trade,<br>Store,<br>Dwelling house and furniture,<br>Factory building, machinery, and stock in trade,<br>Dwelling house,<br>House,<br>House, and furniture,<br>Store and stock,<br>Office building,<br>Furniture,<br>House,<br>Mill engine, fixtures, machinery, lumber, and grain,<br>Dwelling and tavern house, and furniture,<br>Stock in trade,<br>Stock in trade,<br>Stock in trade,<br>Store, rooms, dwelling house, furniture, and stock,<br>Stock in trade, | 45 79<br>812 00<br>630 00<br>280 00<br>94 00<br>4,200 00<br>9 50<br>300 00<br>520 00<br>1,330 00<br>10 00<br><hr/> 67 50<br>85 00<br>6,060 00<br>940 00<br>225 00<br>2,302 43<br>550 00<br>439 25<br>1,045 00<br>45 00<br>514 02<br>3,400 00<br>120 00<br>100 00<br>200 00<br>4,000 00<br>4,616 66<br>85 80<br>27 50<br>684 96<br>4,511 99<br>1,040 93 | 582<br><hr/> 8,231 29 |
| 1839  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                        |                       |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                |           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Chauncey Warren,<br>M. W. Sedam,<br>Blake & Groverman,<br>James Farrington,<br>John F. King,<br>S. P. Cammack,<br>C Groverman & Co,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Terre Haute,<br>Terre Haute,<br>Terre Haute,<br>Terre Haute,<br>Terre Haute,<br>Terre Haute,<br>Terre Haute,                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Store house,<br>Store and stock,<br>Frame dwelling house, and two brick stores,<br>Store,<br>Stock in trade,<br>Stock in trade,<br>Stock in trade,                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 500 00<br>2,936 95<br>4,218 66<br>73 90<br>500 00<br>2,271 25<br>968 41                                                                                                                                                                                                                                                                                        | 43,115 21 |
| W. A. Clark,<br>Alexander Worth,<br>J. B. Rappleyea,<br>C. Meek & Co.,<br>Wm H. Payne,<br>J. M. Tabott & Co.,<br>James Hamilton,<br>Asa Gooding,<br>Benjamin F. Duncan,<br>Abram A. Hammond,<br>S P & J F Oakes,<br>Eli and Otto Gopen,<br>Alfred Trader,<br>Lewis G. Thompson,<br>A. Laniz,<br>Harlen Carter,<br>Estate of Joseph Cooper,<br>John Burton,<br>Thomas Volbre,<br>G F Clarkson,<br>M & J Little,<br>William Patriek,<br>John Suton,<br>Richard Goss,<br>William Hart,<br>John Matvey,<br>Trustees Presbyterian Church,<br>P S Jennings,<br>Cunningham & Brothers,<br>John Turner,<br>Estate of Wm Dutton,<br>Thorn and Tracy,<br>J B Martin, administrator,<br>Wm Burtch,<br>Charles M. Smith, | Dearborn county,<br>Moorestown,<br>Evansville,<br>Greenfield,<br>Greenfield,<br>Greenfield,<br>Greenfield,<br>Greenfield,<br>Greenfield,<br>Greenfield,<br>Greenfield,<br>Greenfield,<br>Greenfield,<br>Greenfield,<br>Greenfield,<br>Fort Wayne,<br>Frankfort,<br>Tippecanoe county,<br>Terre Haute,<br>Aurora,<br>Brookville,<br>Indianapolis,<br>Jeffersonville,<br>Jeffersonville,<br>Jeffersonville,<br>Jeffersonville,<br>Madison,<br>Sonti; Bend,<br>Lafayette,<br>Wincschester,<br>Indianapolis,<br>Madison,<br>Vincennes,<br>Vincennes,<br>Elkhart county,<br>Store and stock, | House and furniture,<br>Carding mill and machinery,<br>Factor building,<br>Store,<br>House, furniture, and stock,<br>Store building,<br>House and furniture,<br>Tavern house and furniture,<br>House,<br>House, building and furniture,<br>Stock in trade,<br>House,<br>Store house,<br>Store building,<br>Tavern house,<br>Saw mill, fixtures, and machinery,<br>Tavern house,<br>Store house,<br>Mechanic shop,<br>Barn,<br>House and furniture,<br>House,<br>House,<br>Two houses,<br>Building,<br>Church building,<br>House,<br>Stock in trade,<br>House,<br>Brick store,<br>House and store,<br>House,<br>Store, | 400 00<br>2,610 50<br>150 00<br>600 00<br>530 33<br>266 67<br>78 00<br>76 75<br>39 46<br>43 00<br>23 86<br>16 00<br>200 00<br>1,266 67<br>76 00<br>20 00<br>455 33<br>21 80<br>21 00<br>660 00<br>380 00<br>973 47<br>1,000 00<br>800 00<br>1,550 00<br>10 00<br>17 00<br>20 00<br>2,500 00<br>390 00<br>26 25<br>2,000 00<br>2,000 00<br>1,700 00<br>1,760 00 | 6,874 37  |
| 40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 41                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                |           |

*SCHEDULE of Loss by Fire sustained and allowed by the Indiana Mutual Fire Insurance Company, from  
March 20, 1837, to October, 1848.*

| Year. | Assured.                                                                                                                                                                                                                                                                           | Residence.                                                                                                                                                                                                                                                                                                                   | Property Assured.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Amount Al- lowed.                                                                                                                                                                                                                         | Total.    |
|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 1811  | Achilles Williams,<br>A & J Edwards,<br>W G & G W Ewing,<br>Drusus Nichols,<br>Adam Condo,                                                                                                                                                                                         | Richmond,<br>Leavenworth,<br>Fort Wayne,<br>LaGrange county,<br>Wayne county,<br><br>Vincennes,<br>Mishawaka,<br>Lawrenceburg,<br>Fort Wayne,<br>Hockport,<br>Indianapolis,<br>Lafayette,<br>Pendleton,<br>Evansville,<br>Evansville,<br>Stephen Childs,<br>Blonienfield, Russy & Jack,<br>J H B & E Nowland,<br>Jacob Wolf, | Store,<br>House,<br>Saw mill and fixtures,<br>Distillery,<br>Blacksmith shop,<br><br>Storehouse,<br>House and furniture,<br>Distillery and fixtures,<br>Store and warehouse,<br>House,<br>Woollen factory,<br>House,<br>Office and Stock,<br>Store,<br>Store,<br>House,<br>House,<br>House and furniture,<br>Distillery,<br><br>Covington,<br>Plymouth,<br>Bridgeport, (Property in<br>Belleville.)<br>Wheeling, Va. (Prop-<br>erty in Madison,)<br>Lawrenceburg,<br>Goshen,<br>Evansville,<br>Madison,<br>Jeffersonville, (Property<br>in Indianapolis.) | 50 00<br>5 00<br>1,000 00<br>27 00<br>4 33<br><br>18 00<br>730 00<br>10,000 00<br>1,000 00<br>450 00<br>3,000 00<br>20 00<br>123 13<br>18 50<br>16 03<br>10 50<br>1,202 00<br>32 37<br>250 00<br><br>800 00<br>3,500 00<br>530 <b>D</b> 0 | 16,894 05 |
| 1842  | Joseph Soners, Admr,<br>John H Orr,<br>Hubbs & Crutis,<br>Samuel Hanna,<br>Matthias Sharp,<br>Nathaniel West,<br>Martin L Pearce,<br>Edwin Fussell,<br>W M & J P Elliott,<br>Francis Lynch,<br>Stephen Childs,<br>Blonienfield, Russy & Jack,<br>J H B & E Nowland,<br>Jacob Wolf, |                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                           |           |
| 1843  | Joseph L Sloan,<br>Amzi L Wheeler,<br>Lot Reagan,<br>N McNaughton,<br>William Tate,<br>F A & L G Harris,<br>Martin Schinall,<br>T L & E D Paine,<br>S H Patterson,                                                                                                                 |                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                           |           |
|       |                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                           | 8,503 38  |

|      |                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                       |                                                                                                                                |                  |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|------------------|
|      | Alex MacLure,<br>Elias Conwell,<br>Druses Nichols,<br>Finchey James,<br>Frances B Cogswell,<br>Willard Carpenter,<br>Sethell, Childs & Co.,<br>N W & A H Bowen,<br>A L Holmes,<br>Enoch Carleton,<br>John F Craft,<br>Martha Wilson,<br>J J Mothershead,                                                 | New Harmony,<br>Napoleon,<br>Lafayette county,<br>Rising Sun,<br>Noblesville,<br>Evansville,<br>Evansville,<br>Delphi,<br>Delphi,<br>Franklin,<br>Terre Haute,<br>Terre Haute,<br>Indianapolis,<br>Indiana                                                  | Furniture and library,<br>Hay and grain,<br>Distillery,<br>Steam saw mill,<br>Tavern and furniture,<br>Tavern and furniture,<br>Livery stable and stock,<br>Store and stock,<br>Office and contents,<br>Stock in trade,<br>Store,<br>House,<br>House, | 1,229 77<br>300 00<br>240 00<br>700 00<br>226 75<br>55 50<br>592 00<br>5,000 00<br>30 00<br>752 11<br>457 23<br>600 87<br>3 00 | <u>10,187 23</u> |
| 1845 | R M & T L Carleton,<br>E W H Ellis,<br>W M Walker,<br>Ernest Ehrsham,<br>John Shanklin,<br>David A Russell,<br>John Muller,<br>Moore & Musselman,<br>S S Gillet,<br>Wm Thurston,<br>Tiffany, Ward & Co,                                                                                                  | Bedford,<br>Goshen,<br>Evansville,<br>Evansville,<br>Evansville,<br>Lafayette,<br>Madison,<br>Terre Haute,<br>Madison,<br>Vanderburgh county,<br>Madison,                                                                                                   | Flouring and saw mill,<br>House and furniture,<br>House and furniture,<br>Stable,<br>House, warehouse and furniture,<br>House and store,<br>House,<br>Saddler shop,<br>House,<br>Tavern house,<br>Store,                                              | 1,625 00<br>7 75<br>906 25<br>50 00<br>1,435 00<br>40 55<br>7 11<br>180 00<br>2 00<br>27 50<br>250 00                          | <u>4,431 16</u>  |
| 1846 | Estate of S Wood,<br>John Mitchell,<br>James Talbot, Sen'r,<br>Mark E Reeves,<br>Michael English,<br>John C Parker,<br>John Mitchel,<br>Jeremiah Clarke,<br>Cyrus Vigus,<br>Wm M Sother,<br>Joseph A Wright,<br>Daniel D Dunning,<br>Eli Davis,<br>Wm H Patham,<br>Estate of Wm Stewart,<br>D & N Platt, | Wilmington,<br>Evansville,<br>Greencastle,<br>Hagerstown,<br>Wabash county,<br>Charlestown,<br>Evansville,<br>Floyd county,<br>Loganport,<br>Harrison county,<br>Rockville,<br>New Albany,<br>Lewisville,<br>St Omer,<br>Terre Haute,<br>Washington county, | Tavern house,<br>Store room,<br>House,<br>Stock in trade,<br>Grist and saw mill, and machinery,<br>Tavern house,<br>Store,<br>House and furniture,<br>Tavern House,<br>House,<br>House,                                                               | 25 00<br>35 00<br>175 00<br>100 00<br>2,480 00<br>500 00<br>17 04<br>1,800 00<br>99 57<br>100 00<br>10 90                      | <u>5,342 51</u>  |
| 1847 |                                                                                                                                                                                                                                                                                                          | Carriage shop and contents,<br>House, store and contents,<br>Stock in trade,<br>Tavern House,<br>Wagon shop, stock and tools,                                                                                                                               |                                                                                                                                                                                                                                                       | 1,800 00<br>1,700 00<br>562 40<br>4 75<br>1,430 00                                                                             |                  |

*SCHEDULE of Losses by Fire sustained and allowed by the Indiana Mutual Fire Insurance Company, from March 20, 1837, to October 7, 1848.*

| Year. | Assured.                                                                                                                                                                                                                                                                                                           | Residence.                                                                                                                                                                                                                     | Property Assured.                                                                                                                                                                                                                                                               | Amount Al- lowed.                                                                                                                                     | Total.                         |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| 1847  | David Lovett,<br>William Lea,                                                                                                                                                                                                                                                                                      | St Owner,<br>Eugene,                                                                                                                                                                                                           | Stock in trade,<br>Mill buildings,<br>House,<br>House,                                                                                                                                                                                                                          | 30 00<br>30 00                                                                                                                                        | 5,527 15                       |
| 1848  | Hiram Bacon,<br>C Decker, and Oliver Ladd,<br>Rob't R Underhill,<br>Joseph G Denning,<br>Guy C Welch,<br>A R & J H Harper,<br>Trustees Presbyterian Church,<br>Joseph Fish,<br>Win Thorn,<br>Samuel Williams,<br>U P Schenck,<br>David Craighead,<br>Samuel Parker,<br>H Johnson,<br>Allen W Smith,<br>Peter King, | Marion county,<br>Evansville,<br>Indianapolis,<br>Columbus,<br>Terre Haute,<br>South Bend,<br>New Castle,<br>Lebanon,<br>Manchester,<br>Laurel,<br>Vevay,<br>Indianaapolis,<br>New Albany,<br>Mishawaka,<br>Wabash,<br>Wabash, | House,<br>House,<br>Store, house and contents,<br>Furniture,<br>Mill buildings and contents,<br>Church building,<br>Tavern house,<br>House, store and contents,<br>House,<br>House,<br>Drug stock,<br>Stable,<br>Mill building,<br>Store and warehouse,<br>Store and warehouse, | 4 00<br>12 80<br>10 50<br>1,600 00<br>7 50<br>1,700 40<br>5 00<br>433 33<br>2,910 00<br>67 00<br>9 00<br>47 76<br>75 00<br>190 00<br>800 00<br>800 00 | 8,671 89<br><hr/> \$134,948 74 |

LEDGER BALANCES—Nov. 30, 1848.

| <i>Expenditures.</i>      |   |                        | <i>Receipts.</i>                           |
|---------------------------|---|------------------------|--------------------------------------------|
| Losses by fire,           | - | -                      | 6,863 88                                   |
| Interest on losses,       | - | -                      | 2,587 75                                   |
| Profit and loss,          | - | -                      | 56 90                                      |
| Abatement,                | - | -                      | 71 55                                      |
| Incidental expenses,      | - | -                      | 3,693 55                                   |
| Assessments No. 7—repaid, | - | 2 83                   |                                            |
|                           |   |                        | <u>13,276 46</u>                           |
|                           |   |                        | Five per centage on prem. notes,           |
|                           |   |                        | Fees for policies,                         |
|                           |   |                        | Assessment on discharged notes,            |
|                           |   |                        | Interest on assessments,                   |
|                           |   |                        | Assessment No. 3,                          |
|                           |   |                        | Assessment No. 4,                          |
|                           |   |                        | Assessment No. 5,                          |
|                           |   |                        | Assessment No. 6,                          |
|                           |   |                        | Assessment No. 8,                          |
|                           |   |                        | Assessment No. 9,                          |
|                           |   |                        | Assessment No. 10,                         |
|                           |   |                        | Assessment No. 11,                         |
|                           |   |                        |                                            |
| Balance—Nov. 30, 1848,    | - | 5,444 63 $\frac{3}{4}$ | Balance—Nov. 30, 1847,                     |
|                           |   |                        | <u>\$18,721 09<math>\frac{3}{4}</math></u> |
|                           |   |                        | 956 38 $\frac{1}{2}$                       |
|                           |   |                        | 238 00                                     |
|                           |   |                        | 1,226 85                                   |
|                           |   |                        | 125 81                                     |
|                           |   |                        | 9 05                                       |
|                           |   |                        | 108 32                                     |
|                           |   |                        | 490 53                                     |
|                           |   |                        | 409 71                                     |
|                           |   |                        | 11 25                                      |
|                           |   |                        | 127 19                                     |
|                           |   |                        | 9,346 45                                   |
|                           |   |                        | 166 99                                     |
|                           |   |                        | <u>13,225 53<math>\frac{1}{2}</math></u>   |
|                           |   |                        | 5,495 56 $\frac{1}{4}$                     |
|                           |   |                        | <u>\$18,721 09<math>\frac{3}{4}</math></u> |

On motion,

The report was laid on the table.

The House again proceeded to the consideration of bills of the Senate.

No. 271. A joint resolution relative to the soldiers of the late war with Great Britain;

Was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 264. A bill on the subject of the Wabash and Erie canal lands east and west of the Tippecanoe, and for other purposes;

Was read a first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Dobson moved to lay the bill on the table.

The ayes and noes being demanded by Messrs. Kelso and Ross, of Wabash,

*Those who voted in the affirmative are,*

Messrs. Alexander, Buskirk, Casselberry, Chambers, Cockrum, Dobson, Donnohue, Dougherty of Morgan, Dowling, Edmonston, Edwards, Ford, Goodwin, Hicks, James, Jones of Bartholomew, Meredith, Mills, Morgan, Osborn, Rice, Starbuck, Vance, Winstanley Withers, Wood, and Mr. Speaker—27.

*Those who voted in the negative are,*

Messrs. Blakemore, Brady, Bryant, Dougherty of Boone, Drake, Harlan, Hicks, Huckleberry, Hunt, Kelso, Line, Meacham, Miller, Nicholson, Odell, Orr, Parker of Brown, Place, Rifner, Riley, Ross of Miami, Ross of Wabash, Thompson, Tuttle, Vawter, Webster, and Wolfe—27.

There being no quorum voting, the bill was not laid on the table.

On motion by Mr. Edmonston,  
The House adjourned.

*7 o'clock, P. M.*

The House met.

Mr. Bryant moved to take from the table bill of the House No. 246. A bill for the relief of Ebenezer F. Lucas, late superintendent of the Wabash and Erie Canal ;  
Which motion prevailed.

Mr. Ross, of Wabash, offered the following amendment :

“ Amend by compelling the said Lucas to pay back the money that Smith kept by way of change.”

Mr. Bryant moved to lay the amendment on the table ;  
Which motion prevailed.

The bill was ordered to be engrossed,

Mr. Bryant moved to suspend the rules and read the bill a third time.

The ayes and noes being demanded by Messrs. Wolfe and Decker,

*Those who voted in the affirmative are,*

Messrs. Bryant, Caldwell, Dobson Donnouhe, Dougherty of Morgan, Drake, Goodwin, Harlan, Huckleberry, Kelso, Maddox, Meredith, Nicholson, Odell, Ryan, Stanton, Thompson, Vance, Vawter, Wilson, and Mr. Speaker—21.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Blakemore, Brady, Buskirk, Casselberry, Cockrum, Decker, Dougherty of Boone, Dowling, Duvall, Edwards, Frazer, Ford, Gessie, Gillum, Graham, Hicks, Hill, Howell, Huddleston, Hunt, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Line, Miller, Morgan, Orr, Osborn, Parker of Brown, Rice, Rifner, Riley, Rippey, Ross of Miami, Ross of Wabash, Shaw, Smith, Starbuck, Tuttle, Webster, Windstandley, Withers, Wolfe, and Young—47.

So the rules were not suspended.

Mr. Barbour moved to take up bill of the Senate,  
No. 128. A bill to incorporate the Shelbyville arm of the Shelbyville and Edinburgh Lateral Branch Railroad.

Which motion prevailed.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Kelso,  
The House took up bill of the Senate,  
No. 90. A bill to increase the pay of the Auditor of Hamilton county.

On motion,  
The rules were suspended, and the bill was read a third time, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Dougherty of Morgan, on leave, introduced,  
No. 376. A bill relative to the probate court of Morgan county.  
Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Gillum moved to take up bill of the Senate,  
No. 103. A bill changing the mode of doing county business in the county of Orange.

Which motion prevailed.

Mr. Gillum moved to strike out the bill from the enacting clause and insert the following :

"That the county business for the county of Orange shall hereafter be performed by one-half of the justices of the peace in each and every township in said county.

"Sec. 2. And the justices of the peace required to do the county business, in said county, shall be the magistrates whose commissions are the oldest in the different townships, and that they shall be governed in all things appertaining to the duties of their office by the laws now in force in relation to the duties of county commissioners.

"Sec. 3. And the said justices of the peace, while sitting as a court to do county business, shall each be allowed the sum of one dollar per day for their services as such court, and any five of them shall constitute a quorum to do business.

"Sec. 4. This act to be in force from and after the June board in 1849 in said county of Orange.

"Sec. 5. All laws and parts of laws coming within the purview of this act are hereby repealed."

Which amendment was not adopted.

On motion,  
The rules were suspended, the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Bill of the Senate,  
No. 274. A bill to amend the estray laws;  
Was read a first time, and passed to a second reading.

On motion,

The rules were suspended, the bill read a second time, and laid on the table.

Mr. Kelso, on leave, introduced,

No. 377. A bill to amend article 2 of the Revised Statutes of 1843, relative to the action of ejectment and the rights of occupying claimants;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Blakemore, on leave, introduced,

No. 378. A bill to authorize the refunding of money to certain volunteers therein named;

Which was read a first time, and passed to a second reading.

The Speaker laid before the House two communications from the Society of Friends;

Which,

On motion,

Were laid on the table.

Mr. Webster presented a petition relative to the completion of the public works;

Which,

On motion,

Was referred to the committee on canals and internal improvements.

Mr. Buskirk moved to suspend the rules for the purpose of introducing a bill.

Which motion did not prevail.

#### SPECIAL ORDER.

The hour having arrived, the Speaker announced that the Special Order was the consideration of bill of the House,

No. 371. A bill to amend the act, entitled "An act to reduce the salaries of the Governor of State and other officers," approved Dec. 14, 1843.

The bill was read a third time.

Mr. Wilson moved the previous question,

Which was seconded.

The question being,

"Shall the main question be now put?"

Was decided in the affirmative.

The question then recurred on the main question,

Which was,

"Shall the bill pass?"

The ayes and noes being demanded by Messrs. Wolfe and Rice:

*Those who voted in the affirmative are,*

Messrs. Barbour, Blakemore, Bryant, Caldwell, Dowling, Drake, Edwards, Frazer, Harlan, Huckleberry, Hunt, Kelso, Meredith, Morgan, Odell, Riley, Ross of Wabash, Ryan, Shaw, Starbuck, Vance, Wade, Webster, and Wilson—24.

*Those who voted in the negative are,*

Messrs. Alexander, Brady, Buskirk, Casselberry, Cockrum, Decker, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Ford, Gessie, Gillum, Graham, Hicks, Hill, Howell, James, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Line, Miller, Mills, Nicholson, Orr, Osborn, Parker of Brown, Place, Rice, Rifner, Rippey, Smith, Stanton, Tuttle, Vawter, Winstandley, Withers, Wolfe, Young, and Mr. Speaker—42.

So the bill did not pass.

Mr. Kelso gave notice, that on to-morrow he would introduce a resolution to change the 17th Joint Standing Rule, so far as regards the government of the House.

Mr. Bryant, chairman of the committee on education, made the following report:

MR. SPEAKER :

The committee on education to which was referred bill No. 322, of the House, have had the same under consideration, and have instructed me to report a substitute therefor and recommend its passage.

No. 322. A bill relative to the power and duties of the trustees of Congressional townships in Daviess county.

Strike out all after the enacting clause and insert the following:

That the township trustees in the several Congressional townships in the county of Daviess, shall have power to lease all or any part of the school lands belonging to their respective townships, (in the absence of any vote of the township to sell the same,) for any term of time, not exceeding seven years, reserving rents payable in money, property, or improvements to be made on the land as they shall determine.

Sec. 2. All laws and parts of laws conflicting with the foregoing provisions, be and the same are hereby repealed, so far as the same relates to the county of Daviess.

Sec. 3. This act to be in force from and after its passage.

Which amendment was concurred in.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Johnson of Dearborn, chairman of the committee on Agriculture, made the following report:

MR. SPEAKER :

The committee on agriculture to whom was referred the petition of D. C. Hite and others, praying a repeal of the law concerning weights and measures, have had the same under consideration and have directed me to report that in their opinion it is inexpedient to grant the prayer of the petitioners, and ask to be discharged from the further consideration of the subject;

Which was concurred in.

HOUSE BILLS ON THIRD READING.

No. 21. A bill to authorize the Board of Commissioners of the several counties of this State, to employ physicians for the poor.

Mr. Wolfe moved to recommit the bill to a select committee with the following instructions :

"That this act shall only operate in counties where they have erected poor houses, or where the paupers are all collected and provided for at one point in the county."

Which motion did not prevail.

The question then recurring on the passage of the bill,  
The ayes and noes being demanded by Messrs. Wolf and Riley,

*Those who voted in the affirmative are,*

Messrs. Blakemore, Bryant, Buskirk, Decker, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Duvall, Edwards, Frazer, Gillum, Goodwin, Graham, Hicks, Huckleberry, Johnson of Dearborn, Jones of Bartholomew, Jones of Huntington, Kelso, Line, Maddox, Meredith, Miller, Nicholson, Odell, Ross of Miami, Ross of Wabash, Shaw, Stanton, Thompson, Vance, Vawter, Wilson, Winstandley, and Mr. Speaker—36.

*Those who voted in the negative are,*

Messrs. Alexander, Brady, Caldwell, Cockrum, Dobson, Donnohue, Ford, Hill, Hunt, James, Johnston of Putnam, Mills, Morgan, Orr, Osborn, Parker of Brown, Place, Rice, Rifner, Riley, Smith, Starbuck, Tuttle, Withers, Wolfe, and Young—26.

There being no quorum voting, the bill did not pass.

No. 246. A bill for the Relief of Ebenezer F. Lucas, late Superintendent of the Wabash and Erie Canal;

Was read a third time.

The question being on the passage of the bill,

The ayes and noes being demanded by Messrs. Wolf and Smith,

*Those who voted in the affirmative are,*

Messrs. Bryant, Caldwell, Dobson, Donnohue, Drake, Kelso, Maddox, Meredith, Nicholson, Odell, Riley, Ross of Wabash, Ryan, Stanton, Vance, Vawter, Wilson, and Mr. Speaker—18.

*Those who voted in the negative are,*

Messrs. Alexander, Blakemore, Brady, Buskirk, Casselberry, Cockrum, Decker, Dougherty of Boone, Dougherty of Morgan, Dowling, Duvall, Edwards, Frazer, Gillum, Goodwin, Graham, Harlan, Hicks, Hill, Hunt, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Jones of Huntington, Line, Miller, Morgan, Orr, Osborn, Parker of Brown, Place, Rice, Risner, Rippy, Shaw, Smith, Starbuck, Tuttle, Webster, Winstandley, Withers, Wolfe, and Young—43.

No quorum voting.

So the bill did not pass.

Mr. Duvall moved a call of the House;

Which motion did not prevail.

Mr. Edwards moved to reconsider the vote on the passage of bill of the House No. 21;

Which motion did not prevail.

No. 262. A bill to straighten the line dividing the counties of Lawrence and Jackson;

Was read a third time.

On motion by Mr. Carr,

A call of the House was ordered, when it appeared that a quorum was not present, only sixty-five members having answered to the call of their names.

On motion by Mr. Morgan,

A further call of the House was dispensed with.

On motion by Mr. Harlan,

A call of the House was ordered.

After some time spent in the call, it appeared that a quorum was present, sixty-seven members having answered to a call of their names.

On motion by Mr. Barbour,

The further call of the House was dispensed with.

The question being on the passage of the bill,

The ayes and noes being demanded by Messrs. Ford and Winstandley,

*Those who voted in the affirmative are,*

Messrs. Blakemore, Brady, Buskirk, Casselberry, Cockrum, Dobson, Dowling, Drake, Hill, Nicholson, Odell, Rice, Rifner, Rippey, Ross of Miami, Ryan, Shaw, Tuttle, Vance, Vawter, Withers, Young, and Mr. Speaker—23.

*Those who voted in the negative are,*

Messrs. Alexander, Barbour, Bryant, Caldwell, Decker, Dougherty of Morgan, Duvall, Edwards, Frazer, Ford, Gillum, Goodwin, Harlan, Hicks, Hunt, Johnson of Dearborn, Johnston of Putnam, Jones of Bartholomew, Kelso, Maddox, Miller, Mills, Morgan, Orr, Osborn, Place, Riley, Ross, of Wabash, Smith, Stanton, Starbuck, Thompson, Wade, Webster, Wilson, Winstandley, and Wolfe—37.

No quorum,  
So the bill did not pass.

*Ordered*, That the Clerk make an entry in the journal, that Mr. Line was present and called on to vote on the above question, but refused to vote.

Mr. Line moved that the House adjourn,  
Which motion did not prevail.  
Mr. Line moved a call of the House,  
Which motion did not prevail.

On motion by Mr. Harlan,  
A call of the House was ordered.

After some time spent in the call it appeared that a quorum was present, sixty-seven members having answered to their names.

On motion by Mr. Blakemore,  
A further call of the House was dispensed with.

Mr. Kelso, (occupying the Chair temporarily) decided that the first thing in order was bill of the House, No. 262. A bill to straighten the line dividing the counties of Lawrence and Jackson.

On motion by Mr. Brady,

The House informally passed over the consideration of bill of the House, No. 262.

#### HOUSE BILLS ON SECOND READING.

No. 346. A bill to amend section one hundred and one (101) of chapter thirty-eight (38) of the Revised Statutes of 1843;

The question being on the amendment of Mr. Buskirk, which was to add “regular,” before the word “deputy,”

Mr. Buskirk withdrew his amendment.

Mr. Buskirk moved to amend by striking out “Supreme and Circuit Courts,” where they occur in reference to deputy clerks.

Which amendment was not adopted.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 372. A bill relative to voting in certain townships in Daviess county;

Was read a second time.

Mr. Riley moved to lay the bill on the table.

Which motion did not prevail.

The bill was then ordered to be engrossed.

No. 378. A bill to authorize the refunding of money to certain volunteers therein named;

Was read a second time.

Mr. Maddox moved to amend by adding the following proviso:

*Provided*, That each of said volunteers shall give bond to the Board of Commissioners in a sufficient sum that they will repay said sum of seven dollars and eighty-two cents, if the Government of the United States does not.

Which amendment was adopted.

The bill as amended, was then ordered to be engrossed.

Mr. Buskirk moved to suspend the order of business for the purpose of introducing a bill;

Which motion did not prevail.

Mr. Barbour moved to reconsider the vote on bill of the House, No. 61,

Which motion did not prevail.

Mr. Dougherty, of Morgan, moved to suspend the order of business for the purpose of introducing a bill,

Which motion did not prevail.

The House resumed the consideration of bills of the Senate contained in a message heretofore taken up:

No. 267. A bill relative to the fees of the officers of Henry county;

Was read a first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Rifner moved to amend the bill as follows:

In the 2d section, in the eleventh line, after the word "exceeding," strike out "five," and insert "six;" also, in the 17th line of the same section, after the words "exceeding," strike out "five," and insert "six."

Amend the 3d section as follows: Strike out the word "delivered," in the second line, and insert the words "ordered to be paid over;" also, in the 3d line, strike out the word "Auditor," and insert "Treasurer;" also, after the word annually, insert the words "by the County Auditor;" also, strike out after the word "provi-

ded," the whole of the residue of the section ; also, in the 3d line of the 4th section, strike out the word " Auditor," and insert " Treasurer;" also, strike out the 8th section, and insert the following :

Section 8. This act shall take effect and be in force so soon as a majority of all the legal voters residing in Henry county shall ratify and approve its provisions in the following manner : Those in favor of the act shall, at the next August election endorse on their ballots the words " special reduction of officers' fees," and those opposed to the bill may either endorse the words " against reduction of officers' fees," or the words " no reduction ;" and if a majority of all the voters as aforesaid, shall vote in favor of the bill, then this act shall take effect and be in force from and after the time above named, and not otherwise.

Mr. Meredith moved to lay the amendments on the table ;  
Which motion did not prevail.

The question then recurring on the adoption of the amendment, was decided in the affirmative.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 269. A bill relative to the probate judge of Laporte county  
Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 270. A bill to amend an act entitled "an act to incorporate the town of patriot in Switzerland county," and to declare certain misprints in said act ;

Was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 272. A bill for the relief of Robert B. Duncan of Marion county ;

Was read a first time and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time.

Mr. Parker of Brown moved to lay the bill on the table ;

Which motion prevailed.

No. 273. A bill authorizing the sale of certain Sinking Fund lands ;

Was read a first time and passed to a second reading.

No. 233. A bill to change the time of the meeting of the General Assembly of this State from the 1st Monday of December to the 1st Monday of January ;

Was read a first time and passed to a second reading.

Mr. Wolfe moved to suspend the rules and read the bill a third time;

Which motion did not prevail.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, to-wit :

No. 147. An act to amend an act entitled "an act to incorporate the Indiana Canal company," approved Dec. 6, 1848 ;

With one amendment.

In which amendment the concurrence of the House is respectfully requested.

Which amendment of the Senate was not concurred in.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Line moved to reconsider the vote on suspending the rules to read Senate bill No. 233, "a bill to change the time of the meeting of the General Assembly of this State from the 1st Monday of December to the 1st Monday in January ;"

Which motion did not prevail.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit :

No. 286. A joint resolution relative to the scrip account between the State of Indiana and the trustees of the Wabash and Erie Canal ;

No. 287. An act authorizing the trustees of school district No. 13 in township 36 north of range 3 west, in Laporte county, to levy a tax to build a school house ;

No. 288. An act in relation to school-houses in Dearborn county ;

In which the concurrence of the House of Representatives is respectfully requested.

Bill of the Senate No. 286, contained in the foregoing message, was read a first time and passed to a second reading.

On motion,

The rules were suspended, the bill read a second time, and ordered to a third reading.

Bills of the Senate Nos. 287 and 288, contained in the foregoing message, were read three several times, the rules having been suspended therefor, and passed.

*Ordered,* That the clerk inform the Senate thereof.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred Senate bill, No. 203, have had the same under consideration and have directed me to report the same back to the House, and ask to be discharged from the further consideration of the subject.

On motion,

The bill was laid on the table.

Mr. Kelso, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the communication of John Morgan, on the subject of a change of the penal laws and the rules of evidence in regard to the same, have had that matter under consideration and are of the opinion that such change would be wholly inexpedient, and therefore ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Barbour, chairman of the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee, herewtth report to the House, the bill of the Senate, No. 217, relating to professional gambling, amended as they were instructed :

Strike out all after the word "value" in the tenth line of the first section.

On motion,

The bill was laid on the table.

Mr. Drake moved to take from the table, bill of the Senate, No. 272. A bill for the relief of Robert B. Duncan, of Marion county ;

Which motion did not prevail.

Mr. Odell, on leave, introduced,

No. 379. A bill to incorporate the Delphi and Burlington Plank Road Company ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Withers moved to reconsider the vote on laying on the table bill of the Senate,

No. 272. A bill for the relief of Robert B. Duncan, of Marion county;

Which motion prevailed.

The question then being on laying the bill on the table,  
Was decided in the negative.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Winstandley moved to reconsider the vote on concurring in the amendment of the Senate to bill of the House,

No. 147. A bill to amend an act, entitled "An act to incorporate the Indiana Canal Company," approved Dec. 6, 1848.

On motion,

The amendment of the Senate was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Riley moved that the House adjourn.

Which motion did not prevail.

A message from the Senate by Mr. Test, their Secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House of Representatives, with the accompanying engrossed amendment thereto, to-wit:

No. 29. An act to extend the duties of county surveyors;

In which amendment the concurrence of the House of Representatives is respectfully requested.

Which amendment was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Harlan, chairman of the committee on ways and means, made the following report:

MR. SPEAKER :

The committee of ways and means, to whom was referred a resolution of the House directing said committee to enquire what provision, if any, should be made for funding any unpaid coupons of the date of January 1, 1841, have had the same under consideration, and have learned the following facts:

The State of Indiana had placed in the hands of a moneyed institution in New York, as its agent, sufficient funds to pay the January interest alluded to, and nearly all the coupons due at that date were paid on presentation ; but a few persons, living remote from the city, or careless in presenting their coupons, delayed their demand for payment till the State's moneyed agent became insolvent, and their interest for January, 1841, remains unpaid till this day. The amount is believed to be so small as to make the matter of but little consequence to the State ; but there is a principle involved in it which, in the opinion of the committee, the State should not disregard. The payment of these coupons will take no money out of the treasury, as the coupons to be provided for will be pended, one-half in canal special stock, and the other half in two and a half per cent. State stock, and in neither case can it reach five hundred dollars.

The State debt arrangement has been so generally acquiesced in by the holders of our bonds, that the committee is of opinion that it would be best to correct this apparent neglect in the acts of 1846 and 1847, and accordingly report the accompanying bill, and respectfully recommend its passage :

No. 380. A bill to provide for the funding of the unpaid coupons of January, 1841, belonging to any class of State bonds heretofore issued.

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended, the bill read a second time and ordered to be engrossed.

Mr. Casselberry, on leave, presented a temperance memorial, which,

On motion,

Was laid on the table.

Mr. Decker, on leave, presented a petition, which,

On motion,

Was laid on the table.

Mr. Dougherty of Morgan, on leave, introduced

No. 381. A bill to authorize the auditor and school commissioner to make a deed in a certain case.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Blakemore, on leave, introduced

No. 382. A bill prescribing the number of pounds of clover seed to be considered a bushel in this State ;

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Wolfe moved to lay the bill on the table,

Which motion did not prevail.

Mr. Morgan moved to strike out "sixty" before the word "pounds" and insert, in lieu thereof, "sixty-two;"

Which motion did not prevail.

Mr. Johnston of Putnam moved to refer the bill to the committee on agriculture;

Which motion did not prevail.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendments of the House to the engrossed amendments of the Senate, to the bill of the House of Representatives:

No. 95. An act to incorporate the Central Plank Road Company.

A message from the Senate by Mr. Test their secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment, to-wit:

No. 43. An act to vacate a part of the town of Sparta in Noble county.

No. 56. An act relating to certain officers in the county of Dearborn.

No. 114. An act authorizing a compensation to be made to the Adjutant General for organizing the 4th and 5th Regiments of Indiana Volunteers.

No. 203. An act to alter the time of holding circuit courts in Owen, Morgan, and Brown counties, in the tenth judicial circuit.

No. 234. An act relative to the pay of the Probate Judge of the county of Grant.

No. 245. An act extending the provisions of chapter 16, of the Revised Statutes of 1843, to the county of Noble, and for other purposes.

No. 273. An act to authorize a survey and the making of a plat of the town of Troy, in Perry county.

No. 280. An act in relation to the Agent of State for loaning the surplus revenue in Clark county.

No. 342. An act to repeal an act approved 12th Feb., 1848.

No. 345. An act to incorporate the Muncie, Jonesboro, Marion, and Peru Rail Road Company.

No. 347. An act to secure to the common school fund of Jennings county the value and rents of certain real estate in said county, and for other purposes.

No. 370. An act to provide for the manner of letting the work of the Asylum for the education of the Deaf and Dumb.

No. 373. An act to regulate Clerk's fees in the probate court of Parke county.

No. 374. An act for the relief of the land owners along the northern line of Ohio county.

No. 375. An act to change a portion of a certain State road in the county of Clay.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment, to-wit:

No. 77. An act relating to the Baptist Education Society for Indiana.

No. 129. An act to amend an act entitled, "an act to amend article 5, of chapter 45, of the Revised Code of 1843, approved 16 February, 1848.

No. 230. An act to amend an act entitled, "an act appointing a Board of Superintendents, to superintend the changing of the channel and leveling the banks of Jordon creek in Vigo county, and for other purposes," approved 15th January, 1846.

No. 238. An act making general appropriations for 1849.

No. 233. An act to raise a revenue for State purposes for 1849.

No. 258. An act to repeal an act therein named.

No. 279. An act to prevent the sale of spirituous liquors in Posey township, in the county of Rush.

No. 285. An act to incorporate the Madison Manufacturing and Ship Yard Company.

No. 287. An act to amend the charter of the town of Williamsburgh, in Wayne county.

No. 288. An act to amend an act entitled, "an act for the extension of a State road in Laporte county, to Winnemac in Pulaski county.

No. 290. An act to incorporate the Connersville and Brownsville Turnpike company.

No. 291. An act to authorize the county Commissioners of Daviess county to vacate State roads therein, and for other purposes.

No. 292. An act to amend article 5, of the Revised Statutes of 1843, relative to writs of *ad quod damnum*.

No. 293. An act to incorporate the Eclectic Institute of Indiana.

No. 295. An act in relation to a State road.

No. 296. An act in relation to the jurisdiction of justices of the peace, in Wayne county.

No. 308. An act for the better security of the surplus revenue fund in Boone county.

No. 379. An act to incorporate the Delphi and Burlington Plank Road Company.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment, to-wit :

No. 177. An act to incorporate the Warsaw Manufacturing Company.

No. 229. An act to equally distribute the local and general laws of this State.

No. 266. An act to amend article 13, of chapter 40, of the Revised Statutes of 1843.

No. 269. An act to incorporate the Montezuma Canal Lock Company.

No. 311. An act to amend the 209th section, of chapter 30, of the Revised Statutes of 1843.

No. 313. An act to incorporate the Preachers Relief Society of the Methodist Protestant Church of Indiana.

No. 339. An act to amend an act for the relief of Carey S. Goodrich, approved 27th January, 1847.

No. 340. An act to incorporate the Paris and Dupont Rail Road Company.

No. 341. An act to authorize the removal of obstructions in Salt creek, Bean-Blossom, and Clear creeks, in Monroe county.

No. 343. An act to repeal an act entitled, "an act to repeal the 4th section, of 47th chapter of the Revised Statutes as relates to Elkhart county."

No. 344. An act to locate a State road in the counties of Grant and Delaware.

No. 349. An act legalizing a State road in Porter county.

No. 324. An act to establish a State road in the counties of Rush and Henry.

No. 327. An act in relation to paupers in the county of Dearborn.

No. 326. An act for the relief of the Christian Church at Stilesville, Hendricks county, Ind.

No. 328. An act to establish a State road from Bloomington to Point Commerce.

- No. 329. An act to improve a certain road in De Kalb county.
- No. 330. An act for the relief of Dempsey Linton of Randolph county.
- No. 334. An act to authorize the Shelbyville Lateral Branch Rail Road Company to dispose of their real estate.
- No. 335. An act declaring the width of a certain street in the town of Bloomington.
- No. 336. An act to amend the act entitled, "an act to incorporate the Madison and Brownstown Turnpike Company.
- No. 337. An act to authorize the location of a State road from the Michigan road, near Carroll post office, in Carroll county, to Jonesboro, in Grant county."

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendments of the House to the following bills of the Senate :

- No. 50. An act to authorize the establishment of a ferry across the Wabash river at the town of Independence ;
- No. 144. An act to incorporate the Franklin and White River Turnpike Company ;
- No. 148. An act authorizing the county auditors of Laporte and St. Joseph to make deeds in certain cases ;
- No. 153. An act to regulate the jurisdiction of justices of the peace in Jefferson and Rush counties ;
- No. 178. An act to reduce the expenses of the circuit court in the counties of Green and Brown, and for other purposes ;
- No. 204. An act fixing the compensation, and defining the duties of the prosecuting attorney of Hancock county ;
- No. 244. An act to authorize the board of county commissioners of Monroe county to make an additional allowance to the probate judge of said county ;
- No. 259. An act to increase the pay of the probate judges of certain counties therein named ;
- No. 265. An act for the relief of Seth Bacon, deceased.

A message from the Sanate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House of Representatives without amendment, to-wit :

- No. 160. An act to change a part of the Indianapolis and Pendleton State road ;
- No. 168. An act for the relief of John T. Custer ;

No. 319. An act to incorporate the Peru and Rochester Turnpike Company.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled bills of the House, and find them correctly enrolled, to-wit:

No. 168. An act for the relief of John T. Custer;

No. 252. An act to amend an act entitled "an act to incorporate the Wayne Turnpike company;"

No. 324. An act to establish a State road in the counties of Rush and Henry;

No. 266. An act to amend article 15th of chapter 40 of the revised statutes of 1843;

No. 106. An act to change a certain State road therein named;

No. 103. An act to amend article 2 of chapter 35 of the revised statutes of 1843;

No. 242. An act to change the time of holding courts in the 8th judicial circuit, and to reduce said circuit;

No. 160. An act to change a part of the Indianapoles and Pendleton State road;

No. 271. An act to incorporate the town of Greenfield, in the county of Putnam;

No. 114. An act authorizing a compensation to be made to the Adjutant General for organizing the 4th and 5th regiments of Indiana volunteers;

No. 334. An act to amend the act entitled "an act to incorporate the Madison and Brownstown Turnpike Company;"

No. 210. An act to compel speculators to pay a road tax equal to that paid by actual setlers, and for other purposes, in the county of Tipton;

No. 337. An act in relation to paupers in the county of Dearborn;

No. 269. An act to incorporate the Montazuma Canal Lock Company;

No. 328. An act to establish a State road from Bloomington to Point Commerce;

No. 194. An act authorizing the election of an additional justice in Adams township, Madison county;

No. 56. An act to prevent treasurers, and other officers, from receiving constructive per centages;

No. 14. An act to ascertain and establish the boundaries of certain roads in the counties of Warren and Montgomery.

Whereupon the Speaker signed the same.

*Ordered,* That the Clerk inform the Senate thereof.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following engrossed with the enrolled bills of the House, and find them correctly enrolled, to-wit:

No. 166. An act to locate a State road from Wabash, in Wabash, *via*. Blufton, in Wells county, to Fort Recovery, in Ohio;

265. An act for the relief of the heirs of William Whetting, deceased;

No. 223. An act relative to roads in Marshall, Fulton, and Starke counties;

No. 264. An act to incorporate the Rushville Female Institute;

No. 257. An act in relation to roads and bridges in Bartholomew county;

No. 306. An act to legalize a certain deed therin named;

No. 227. An act to incorporate the Greensburg and Brookville Turnpike Company;

No. 214. An act to resurvey and relocate so much of the Indianapolis and Fort Wayne State road, as lies within the counties of Grant, Wells, and Huntington;

No. 199. A joint resolution in relation to State Institutes;

No. 216. An act to incorporate the Washington Turnpike Company, in Wayne County, Indiana;

No. 314. An act to amend the act entitled "an act to incorporate the Madison county Cemetery," approved January 19th, 1846;

No. 315. An act in relation to road tax in Adams county;

No. 99. An act for the relief of James D. Glass, deceased;

No. 205. An act for the relief of Bowen B. McFarland, and Cephas and Henry McFarland, late of the U. S. Army in Mexico;

No. 231. An act to amend an act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the Board of Internal Improvements, and the officers of Fund Commissioner and Chief Engineer, approved January 28, 1842;

No. 235. An act defining the mode of appointing trustees of the county library of Sullivan county;

No. 226. An act to exempt the property of invalids from taxation;

No. 228. A act defining the duty of the board of commissioners of the county of Monroe;

No. 219. An act to repeal an act entitled "An act to repeal an act entitled an act defining the duties of county treasurer's, passed 13th January, 1845, approved 14th Februrary, 1848, relative to the counties of Fulton and Marshall;

No. 217. An act to legalize certain acts of the Auditor of Marshall county;

No. 317. An act to change the name of the Cannelton Steam Mill and Manufacturing Company, and to authorize them to mine coal;

No. 221. An act to change the name of the Ciceronian Society, of Franklin College, to Alpha Pi;

No. 218. An act to authorize supervisors in Wells county, levying an additional road tax when necessary;

No. 222. An act to increase the salary of the probate judges of Wayne county;

211. An act to change the time of holding circuit courts in the counties of Jennings and Bartholomew;

No. 259. An act to change the name of the town of Huntsville, in the county of Randolph, to that of Trenton;

250. An act to incorporate the Elkhart and Michigan Railroad Company;

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Casselberry, chairman of the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills of the House, find the same correctly enrolled, to-wit:

No. 72. An act to incorporate the Madison county Hydraulic and Manufacturing Company.

No. 196. An act amendatory of the act incorporating the town of Connersville.

No. 224. An act to incorporate the Delphi and Frankfort Plank-road Company.

No. 22. A joint resolution relative to the second and third regiments of Indiana Volunteers.

No. 106. An act to incorporate the Moscow and Bloomington Grove Turnpike Company.

No. 206. An act defining the duties of congressional township trustees in Daviess county.

No. 33. An act defining the duties of administrators, de bonis non, in certain cases.

No. 83. An act to prevent intemperance in Wayne township in the county of Henry.

No. 132. An act regulating the fees of justices of the peace, mayors, and constables, and for other purposes.

No. 97. An act to amend section 336, chapter 40, of the Revised code of 1843.

No. 248. An act to repeal an act entitled "an act reducing the fee for recording deeds in Delaware county," approved February 14, 1848.

No. 186. An act in relation to official misconduct of county commissioners.

Whereupon, the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Drake moved that leave of absence be granted to Mr. Mills. Which motion did not prevail.

On motion by Mr. Duvall,  
The House adjourned.

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TUESDAY MORNING, JAN. 16, 1849.

The House met.

On motion,  
The reading of the journal was dispensed with.  
Mr. Wood presented the petition of colored persons of Randolph county, praying that the benefits of common schools may be extended to colored children so as to place them on equal footing with the whites;

Also, a petition of white citizens of Randolph county, praying for the enactment of a law to effect the same object.

Which,

On motion,

Were laid on the table.

Mr. Edwards, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to which was referred the petition of sundry citizens of the town of Columbus, asking an amendment to the charter incorporating said town, as to authorize the council thereof to cause the streets and sidewalks of said town to be graded, graveled, or paved, without application therefor by petition, have had the same under consideration, and directed me to report the same back to the House, and recommend that it be laid on the table.

Which was concurred in.

Mr. Wolfe, chairman of the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred a petition of G. W. Gordian and others, of the county of Ripley, in reference to public roads and highways, have had the same under consideration, and have directed me to report that in their opinion it is inexpedient to legislate thereon, and ask to be discharged.

Which report was concurred in.

Mr. Meredith, on leave, presented a memorial.

Which,

On motion,

Was laid on the table.

Mr. Alexander, from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to which was referred bill of the House No. 366, relative to a change in a certain road therein named, have had the same under consideration, and a majority of them have directed me to report the same back to the House, and recommend that it be laid on the table, and ask to be discharged from any further consideration of the subject.

Which was concurred in.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, with the accompanying engrossed amendment thereto :

No. 159. An act to extend the Lawrenceburgh and Rushville Railroad to the coal region near Point Commerce, in Green county, via Martinsville, Gosport and Spencer.

In which amendment the concurrence of the House is respectfully requested.

Which amendment was concurred in.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Rice, on leave, offered the following resolution :

*Resolved*, That the thanks of this House be tendered to the principal and assistant clerks for the very able, prompt, and efficient discharge of their respective duties during the present session.

Which was unanimously adopted.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate has passed the following engrossed bill of the House with the accompanying engrossed amendments thereto :

No. 167. An act to increase and extend the benefits of Common Schools ;

In which amendments, the concurrence of the House of Representatives, is respectfully requested.

Which amendments were concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

A message from His Excellency, the Governor, by Mr. Carr, his private Secretary :

MR. SPEAKER :

I am directed by the Governor, to inform the House of Representatives, that he has this day, approved and signed the following bills :

No. 265. An act for the relief of the heirs of Wm. Whaling, deceased ;

No. 166. An act to locate a State road from Wabash, in Wabash county, *via* Bluffton, in Wells county, to Fort Recovery, in Ohio ;

No. 315. An act in relation to road taxes in Adams county ;

No. 314. An act to amend the act entitled "An act to incorporate the Madison cemetery," approved January 19, 1846 ;

No. 235. An act defining the mode of appointing trustees of the county library of Sullivan county ;

No. 226. An act to exempt the property of invalids from taxation ;

No. 231. An act to amend "An act to provide for the continuance of the construction of all or any part of the public works of this State, by private companies, and for abolishing the board of internal improvements, and the offices of fund commissioner and chief engineer," approved January 28, 1842 ;

No. 216. An act to incorporate the Washington Turnpike Company, in Wayne county, Indiana ;

No. 320. An act to legalize the sale of delinquent lands and lots in the county of Crawford ;

No. 277. An act relating to dockets of justices of the peace in Pleasant Run township, in Lawrence county ;

No. 228. An act defining the duty of the Board of Commissioners of the county of Monroe ;

- No. 223. An act relative to roads in Marshall, Fulton, and Starke counties ;
- No. 306. An act to legalize a certain conveyance therein named ;
- No. 227. An act to incorporate the Greensburgh and Brookville Turnpike Company ;
- No. 214. An act to survey and re-locate so much of the Indianapolis and Fort Wayne State road, as lies within the counties of Grant, Wells, and Huntington ;
- No. 205. An act for the relief of Bowen B. McFarland, Cephas and Henry McFarland, late of the U. S. Army, in Mexico ;
- No. 218. An act to authorize supervisors in Wells county, levying an additional road tax when necessary ;
- No. 221. An act to change the name of the Ciceronian Society of the Franklin College, to the name of *Alpha Pi* ;
- No. 219. An act to repeal an act, entitled "An act to repeal an act, entitled an act defining the duties of County Treasurers," passed January 13, 1845, approved February 14, 1848, relative to the counties of Fulton and Marshall ;
- No. 217. An act to legalize certain acts of the Auditor of Marshall county ;
- No. 222. An act to increase the salary of the probate judge of Wayne county ;
- No. 259. An act to change the name of the town of Huntsville, in the county of Randolph, to that of Trenton ;
- No. 250. An act to incorporate the Elkhart and Michigan Rail Road Company ;
- No. 199. A joint resolution in relation to slate instruments ;
- No. 321. An act to regulate the mode of doing county business in the county of Putnam ;
- No. 264. An act to incorporate the Rushville Female Institute ;
- No. 317. An act to change the name of the Cannelton Steam Mill and Manufacturing Company, and for other purposes ;
- No. 211. An act to change the time of holding circuit courts in the counties of Jennings and Bartholomew ;
- No. 72. An act to incorporate the Madison county Hydraulic and Manufacturing Company ;
- No. 196. An act amendatory of the act incorporating the town of Connersville ;
- No. 106. An act to incorporate the Moscow and Bloominggrove Turnpike Company ;
- No. 224. An act to incorporate the Delphi and Frankfort Plank Road Company ;
- No. 22. A joint resolution in relation to the second and third regiments of Indiana Volunteers ;
- No. 83. An act to prevent intemperance in Wayne, Greensborough, Spiceland, and Harrison townships, in the county of Henry ;
- No. 206. An act defining the duties of Congressional township trustees in Daviess county ;
- No. 248. An act to repeal an act entitled "An act reducing the

fee for recording deeds in Delaware county," approved Feb. 14, 1848;

No. 97. An act to amend section 336, of chapter 40, of the Revised Code of 1843;

No. 132. An act regulating fees of justices of the peace, mayors, and constables, and for other purposes;

No. 186. An act in relation to official misconduct of county commissioners;

No. 33. An act defining the duties of administrators "*de bonis non* in certain cases;

252. An act to amend an act entitled "An act to incorporate the Wayne county Turnpike Company," approved Dec. 5, 1848;

No. 114. An act authorizing a compensation to be made to the Adjutant General for organizing the 4th and 5th regiments of Indiana Volunteers;

No. 266. An act to amend the 30th article, of the 14th chapter, of the Revised Statutes of 1843;

No. 168. An act for the relief of John F. Caster;

No. 242. An act to change the time of holding courts in the 8th judicial circuit;

No. 103. An act to amend the Statutes regulating the granting of divorces;

No. 324. An act to establish a State road in the counties of Rush and Henry;

No. 160. An act to change a part of the Indianapolis and Pendleton State road;

No. 271. An act to incorporate the town of Greencastle, in the county of Putnam;

No. 319. An act to incorporate the Peru and Rochester Turnpike company;

All of which originated in the House of Representatives.

January 16, 1849.

Mr. Bryant, on leave, offered the following resolution :

*Resolved*, That the thanks of this House are due to the Reporters of the "Indiana State Sentinel" and the "Indiana State Journal," for the correct, faithful, and impartial manner in which they have reported the proceedings of this House at its present session.

Which was adopted.

Mr. Hunt, on leave, introduced

No. 383. A bill to amend an act entitled an act to incorporate the town of Laporte, approved February 18, 1839;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Buskirk, on leave, introduced

No. 384. A bill for the more effectual collection of delinquent taxes;

Which was read a first time and passed to a second reading.

Mr. Buskirk moved to suspend the rules and read the bill a second time;

Which motion did not prevail.

Mr. Odell, on leave, introduced

No. 385. A bill to change the name of James Gee and others therein named;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Ford,

The House took up bill of the Senate

No. 98. A bill for the relief of the trustees of the Methodist Episcopal Church in the town of Rockford.

Mr. Ford moved to strike out the original bill from the enacting clause and insert the following:

"That all the right and title of the State of Indiana, in and to lots No. fifty-one and fifty-two in the town of Rockford, in the county of Jackson, be and the same is hereby relinquished, in favor of and vested in the trustees of the Methodist Episcopal Church, in said town of Rockford, for the sole use and benefit of said church.

"Sec. 2. That all the right and title of the State in and to a certain lot or tract of land situated in or near the said town of Rockford, containing about one acre, and upon which has been erected a house for Divine worship, be and the same are hereby relinquished to and vested in the trustees of the Lutheran German reformed Church, in said town of Rockford, for the sole use and benefit of said church."

Which amendment was adopted.

On motion,

The rules were suspended and the bill read a third time and passed.

Mr. Ford moved to amend the title by adding, after the word "Rockford,"

"And also for the relief of the trustees of the Lutheran Reformed Church in said town;"

Which motion prevailed.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bill of the House :

No. 369. An act making specific appropriations for 1849,

With the accompanying amendments, in which the concurrence of the House of Representatives is respectfully requested.

The first, second, and third amendments of the Senate were concurred in.

Mr. Kelso moved to concur in the fourth amendment of the Senate with the following amendment :

"That Jacob C. Wells be allowed the sum of twelve dollars and twenty-five cents for moneys by him paid for the transportation of public arms from Indianapolis to Rising Sun, in this State ;"

Which motion prevailed,

And the amendment of the Senate, as amended, was concurred in.

The fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, and seventeenth amendments were concurred in.

Mr. Kelso moved to concur in the nineteenth amendment of the Senate, with the following amendment :

"And that the Assistant Door Keepers of the House of Representatives be allowed the same amount each for the same purpose."

Which motion did not prevail.

The question then being on concurring in the nineteenth amendment of the Senate,

Was decided in the negative.

The question then being on concurring in the twentieth amendment of the Senate,

Was decided in the negative.

The question then being on concurring in the twenty-first amendment of the Senate,

Was decided in the affirmative.

Mr. Drake moved to concur in the twenty-second amendment of the Senate with the following amendment :

"That John P. Meikel be allowed nineteen dollars and seventy cents for graveling the street in Indianapolis opposite the property of the State ;"

Which motion did not prevail.

Mr. Bryant moved to concur in the twenty-second amendment of the Senate, with the following amendment :

"That the Auditor and Treasurer of State be each allowed one-half of one per cent. upon the amount of the trust funds managed by them upon which interest is paid, to be taken from the interest received on account of the respective funds."

Which motion did not prevail.

Mr. Riley moved to concur in the twenty-second amendment of the Senate, with the following amendment:

"That \$100 be allowed for graveling and grading the side-walk to the county seminary in the town of Greenfield ;"

Which motion did not prevail.

The question then being on concurring in the twenty-second amendment of the Senate,

Was decided in the negative,

*Ordered*, That the clerk inform the Senate thereof.

Mr. Kelso, on leave, having on a previous day given notice of the same, offered the following resolution :

*Resolved*, That the 17th joint rule for the conducting of business in the two Houses of the General Assembly of the State of Indiana, be and the same is hereby rescinded, so far as this House is concerned, and that the concurrence of the Senate is respectfully requested herein ;

Which was adopted.

*Ordered*, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am requested by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

No. 238. An act to revive the law authorizing the assessment of a tax on real estate in the county of Morgan "for road purposes;"

No. 149. An act to authorize the erection of dams in the Wabash River and its tributaries above the Delphi dam;

No. 300. An act in relation to school district No. 7, in the town of Hartsville, Bartholomew county :

In which the concurrence of the House of Representatives is respectfully requested.

Which were each read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bill of the House :

No. 275. An act to locate a State Road in the county of Switzerland ;

With one amendment, in which the concurrence of the House of Representatatives is respectfully requested.

Which amendment was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatatives that the Senate has passed the following engrossed bill thereof, to-wit :

No. 294. An act to provide for the manner of letting the work for the Asylum for the Deaf and Dumb ;

No. 295. An act to amend the 1st article of the 7th chapter of the Revised Statutes of 1843 ;

No. 296. An act confirming a settlement made between the County Commissioners of Hancock county, and James D. Henry, and for other purposes ;

No. 297. A joint resolution instructing our Senators and requesting our Representatives to procure the donation from Congress of 4,000 acres of land in the Miami Reserve, in lieu of 4,000 acres of land confirmed to the President and Trustees of the Vincennes University, of lands previously donated to the State of Indiana, in the two townships of land for the use of the Indiana Seminary ;

No. 298. A joint resolution relative to the Harbor at Michigan City ;

No. 299. A joint resolution to procure information for the benefit of Common Schools ;

In which the concurrence of the House of Representatives is respectfully requested.

Bills and joint resolutions of the Senate Nos. 294, 295, 296, 297, and 298, (contained in the foregoing message,) were each read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Joint resolution of the Senate, No. 299, contained in the foregoing message, was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the joint resolution read a second time.

Mr. Kelso moved to lay the joint resolution on the table ;  
Which motion prevailed.

Mr. Drake moved to take up bill of the Senate,  
No. 202. A bill to dissolve the bans of matrimony between  
Robert B. Hardesty and Ellen Hardesty ;  
Which motion did not prevail.

On motion by Mr. Frazer,  
The House adjourned.

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*Two o'clock, P. M.*

The House met.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit :

No. 168. An act relative to Prosecuting Attorneys in the Tenth Judicial Circuit;

No. 291. An act confirming the location of a State Road leading from Logansport, in Cass county, to Kokomo, in Howard county ;

In which the concurrence of the House of Representatives is respectfully requested.

Bill of the Senate, No. 168, contained in the foregoing message, was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the bill read a second time,  
Mr. Dobson moved to lay the bill on the table,

Which motion prevailed.

Bill of the Senate, No. 291, contained in the foregoing message, was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the engrossed bill of the House, No. 150. An act to amend an act entitled, "an act to lease the Indiana State Prison, and for other purposes," approved 16th January, 1846.

With one amendment, in which the concurrence of the House of Representatives is respectfully requested.

Also the Senate has concurred in the amendment of the House to the bill of the Senate, No. 138,

An act to revise and consolidate the several acts of the General Assembly in relation to laying out, opening, repairing, changing, and vacating public highways, and the erection and repair of bridges, and to amend the same.

The question being on concurring in the amendment of the Senate to bill of the House No. 150, was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

Message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof, to-wit:

No. 226. An act directing the Secretary of State, to make patents to certain Michigan Road Lands;

In which the concurrence of the House of Representatives is respectfully requested.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Kelso moved to take from the table bill of the Senate, No. 13. A bill to authorize the election of township assessors in the county of Jay;

Which motion prevailed.

On motion by Mr. Kelso,

The vote on adding the county of Elkhart, was reconsidered.

The question then recurring on adding the county of Elkhart was decided in the negative.

The bill was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate refuses to concur in the amendment of the House of Representatives to bill of the Senate,

No. 171. An act to regulate the fees and enrolments of the Auditor and Treasurer of Lagrange and Steuben counties.

On motion,

The House receded from the amendment.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate insists upon her amendment to the bill of the House,

No. 82. An act to incorporate the town of Lamasco city, and define the powers of the President and Trustees thereof.

On motion,

The House refused to recede from their disagreement to the amendment of the Senate.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

No. 301. An act in relation to School Lands in Floyd county;

In which the concurrence of the House of Representatives is respectfully requested.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof, to-wit:

No. 61. An act explanatory of the "act prescribing the manner of assessing and paying the taxes due upon the stock of Individu-

als, in the Madison and Indianapolis Railroad Company," approved 16th February, 1848.

No. 169. An act to amend an act in relation to the sale of real estate by executors and administrators, approved 13th February, 1848.

No. 242. An act relative to the duties of Prosecuting Attorneys.

No. 289. A joint resolution authorizing the Governor or Agent of State to make sale of all or any real estate owned by the State of Indiana, in the State of Georgia.

In which the concurrence of the House is respectfully requested.

Bill of the Senate No. 61, contained in the foregoing message,

Was read a first time, and passed to a second reading.

On motion,

The rules were suspended and the bill read a second time.

Mr. Dunn offered the following amendment:

That an act entitled "an act prescribing the manner of assessing and paying the taxes due upon the stock of individuals in the Madison and Indianapolis Railroad Company," approved February 16, 1848, be and the same is hereby repealed.

Which was adopted.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Bill of the Senate No. 169, contained in the foregoing message, was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the clerk inform the Senate thereof.

Bill of the Senate, No. 242, contained in the foregoing message, was read a first time and passed to a second reading;

On motion,

The rules were suspended and the bill read a second time.

Mr. Kelso moved to lay the bill on the table,

Which motion prevailed.

Bill of the Senate No. 289, contained in the foregoing message, was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Bryant, chairman of the committee on education, made the following report:

MR. SPEAKER :

The committee on education to which was referred sundry petitions, remonstrances, bills, and resolutions, has had the same under

consideration, and has directed me to report that the subject matter of them has in certain cases been already acted on by the committee and the House, and that in the residue of the cases the term of the session will not permit any additional legislation; and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Dowling, on leave, offered the following resolution:

*Resolved by the House of Representatives,* (the Senate concurring,) that the operation of the resolution adopted by this General Assembly, providing for the adjournment of both Houses on the 16th instant, be and the same is hereby suspended till January 17, 1849, and that the Senate be informed thereof, and their concurrence respectfully requested.

Which was adopted.

*Ordered,* That the clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendment of the House to the engrossed amendments of the Senate to the bill of the House:

No. 369. An act making specific appropriations for 1849.

And insists upon the amendments of Senate No. 19, 20, and 22, to the bill aforesaid.

Also, that the Senate has passed the following engrossed bill of the House,

No. 346. An act to amend section 101, of chapter 38, of the Revised Statutes of 1843,

Without amendment.

On motion,

The House receded from their refusal to concur in the 19th amendment of the Senate to bill of the House No. 369, and concurred in the same.

On motion,

The House insisted on their disagreement to the 20th amendment of the Senate.

On motion,

The House receded from their disagreement to the 22d amendment of the Senate, and concurred in the same.

Messrs. Meredith and Barbour were appointed a committee of free conference on the part of the House.

A message from the Senate by Mr. Test, their Secretary:

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate has passed the following engrossed joint resolution thereof, to-wit:

No. 302. A joint resolution in relation to the central plank road company east of Indianapolis.

In which the concurrence of the House of Representatives is respectfully requested.

Which was read the first time and passed to a second reading.

On motion,

The rules were suspended and the joint resolution read a second time.

Mr. Wolfe moved to lay the joint resolution on the table,

Which motion prevailed.

Mr. Withers, on leave, introduced,

No. 390. A joint resolution concerning the distribution of the school law passed at the present session of the General Assembly;

Which was read a first time, and passed to a second reading.

On motion,

The rules were suspended, and the joint resolution read a second time.

Mr. Edwards moved to strike out "act" wherever it occurs and insert "joint resolution."

Which motion prevailed.

Mr. Line moved to so amend the joint resolution as to authorize the Secretary of State to have as many copies printed as there are school district in the State.

Which motion did not prevail.

Mr. Blakemore moved to amend as follows:

That so much of the resolution as requires the publishing of the school laws in pamphlet form be stricken out, and insert in lieu thereof, a provision for the publication of the same in the State Sentinel and Indiana Journal, each, three successive weeks.

On motion by Mr. Stanton,

The joint-resolution and amendment were laid on the table.

On motion by Mr. Gillum,

Messrs. Orr, Line, Maddox, Smith, Riley, Stanton, Duvall, Miller, and Wolfe, were added to the committee on enrolled bills.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate concurs in the joint-resolution suspending the operation of the resolution of adjournment on the 16th inst., until the 17th inst.

A message from the Senate by Mr. Test, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof, to-wit:

No. 220. An act to incorporate the Brookville and Milroy Turnpike Company.

In which the concurrence of the House is respectfully requested.

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House :

No. 260. An act to attach additional territory to the county of Laporte, and for other purposes.

With one amendment,

In which the concurrence of the House is respectfully requested.

Also,

The Senate concurs in the amendments of the House to the following engrossed bills of the Senate :

No. 26. Joint-resolution on the independence of Liberia.

No. 131. An act to amend the charter of the Indianapolis and Bellefontaine Rail Road Company.

The question, being on concurring in the amendment of the Senate to bill of the House No. 260,

Was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment, towit:

No. 207. An act to preserve the estate of Leon Bowman, deceased.

No. 300. An act to legalize certain acts of the Board of Commissioners of Lagrange county.

No. 301. An act to amend article 3, of chapter 42, of the Revised Statutes of 1843.

No. 302. An act for the relief of Elisha Driskill.

No. 303. An act to amend an act entitled, "an act for the relief of the securities of John Plasters, School Commissioner of Miami county," approved Feb. 2d, 1843.

No. 304. An act authorizing a State road running from Jonesborough in Grant county, to Lafayette in Tippecanoe county.

No. 322. An act in relation to the powers and duties of the Trustees of Congressional townships in Daviess county.

No. 23. An act to authorize Jane Bushnell Jenks to hold and convey real estate.

No. 352. An act to amend an act to incorporate the Richmond and Boston Turnpike Company.

No. 354. An act to incorporate the town of Cloverdale.

No. 355. An act to locate a State road in Allen county.

No. 357. An act to incorporate the Frankfort Rail Road Com-

No. 358. An act to vacate a certain road in the county of Switzerland.

No. 359. An act to authorize the voters of Switzerland county to determine the location of the county seat of said county, and to fix the same.

No. 360. An act setting apart two acres of ground in Marshall county for a burying ground.

No. 362. An act to amend the act approved 15th January, 1844, in relation to the publication of delinquent lists so far as relates to the counties of Steuben and De Kalb.

No. 363. An act vacating the town of Mt. Pleasant in the county of Madison.

No. 367. An act to amend an act empowering Rachel Blair, administratrix of the estate of Enos Blair, deceased, former collector of Monroe county, to collect arrears of taxes, approved 19th Jan., 1846.

No. 368. An act in reference to the appointment of Probate Judges of Wayne county.

No. 376. An act relative to the probate court of Morgan county.

No. 381. An act to authorize the Auditor and School Commissioner of Morgan county to make a deed in a certain case therein named.

No. 382. An act prescribing the number of pounds of clover seed to be considered a bushel in this State.

Also,

Bill of the House No 254,

An act to prohibit the sale of spirituous liquors in Adams and Fall Creek townships in Madison county, by a less quantity than thirty gallons.

With the accompanying amendment.

In which the concurrence of the House is respectfully requested.

Mr. Ryan moved to concur in the amendment of the Senate to bill of the House No. 254, with the following amendment:

Insert in the preamble the names of John Davis and W. G. Atherton,

Which motion prevailed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, No. 267, An act to incorporate the town of Anderson in Madison county, with the accompanying amendment, in which the concurrence of the House is respectfully requested ;

Which was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Hicks, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition and remonstrance of sundry citizens of Johnson county, in relation to granting licenses to sell spirituous liquors in said county, have had that subject under consideration, and directed me to report, that the remonstrants out number the petitioners, wherefore they deem it improper to legislate on the subject, and the committee ask to be discharged ;

Which was concurred in.

Mr. Dobson, on leave, presented a temperance memorial ;  
Which,

On motion,

Was laid on the table.

Mr. Meredith, frrom the committee on free conference, made the following report :

MR. SPEAKER :

The committee of free conference to whom was referred the disagreement of the two House on the amendment of the Senate to bill No. 369, entitled an act making specific appropriation for the year 1849, have conferred together, and agree to allow John H.

Thompson the sum of twenty dollars, (instead of thirty dollars,) for reading and correcting the proof, certifying, and having the laws of a general and public nature published and distributed through the State, for the years 1846 '47 and '48, and ask the concurrence of the House of Representatives thereto;

Which report was concurred in.

*Ordered*, That the clerk inform the Senate thereof.

ORDERS OF THE DAY.

*Senate Bills on second reading.*

No. 134. A bill relative to the execution of decrees of chancery ;  
Was read a second time and ordered to a third reading.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 89. A joint resolution authorizing an additional subscription by the State, on the stock of the Madison and Indianapolis Railroad, and for the sale thereof;

Was read a second time.

Mr. Dunn moved to strike out "agent" and insert "auditor;"

Which motion prevailed.

Mr. Blakemore moved to amend by inserting "not under its par value;"

Which motion prevailed.

Mr. Wilson moved to amend by adding :

"Provided however, That no sale shall be made thereof without first having given in some public newspaper at Indianapolis, thirty days notice thereof;

Which amendment was adopted.

Mr. Edwards moved to strike out "thirty" and insert "ten;"

Which motion did not prevail.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 91. A bill to extend the time of the sessions of the March and June terms of the board of commissioners of Knox county ;

Was read a second time, and ordered to a third reading.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 96. A joint resolution to authorize the purchase of the picture of the Tippecanoe battle ground ;

Was read a second time and ordered to a third reading.

On motion,

The rules were suspended, and the joint resolution read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 97. A bill to incorporate the Hillsborough horse thief detecting company ;

Was read a second time and ordered to a third reading.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 100. A bill to authorize the commissioners of Laporte county to settle with the securities of Wm. Hawkins :

Was read a second time and ordered to a third reading.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 104. A bill to authorize the board of commissioners of Washington county to issue orders for the payment of the amount subscribed by said county to the capital stock of the New Albany and Salem Railroad Company ;

Was read a second time, and,

On motion by Mr. Dobson,

Laid on the table.

No. 105. A bill for the relief of John Kromer ;

Was read a second time, and ordered to a third reading.

On motion,

The rules were suspended, and the bill read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

No. 108. A bill to authorize the Auditor of Harrison county to execute a deed to Wm. R. Goldsmith of said county ;

Was read a second time, and ordered to a third reading.

On motion,

The rules were suspended, the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 109. A bill to repeal an act vacating Howard street in West Richmond ;

Was read a second time, and,

On motion by Mr. Starbuck,

Laid on the table.

No. 111. A bill to incorporate the Fort Wayne Medical Society ;  
Was read a second time and ordered to a third reading.

On motion,

The rules were suspended and the bill read a third time and  
passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 125. A bill to amend an act to incorporate the Brookville  
and West Union turnpike company ;

Was read a second time and ordered to a third reading.

On motion,

The rules were suspended and the bill read a third time and  
passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 126. A bill more effectually to prevent the retailing of spir-  
ituous liquors in certain counties therein named ;

Was read a second time.

On motion by Mr. Frazer,

The county of Kosciusko was stricken from the bill.

On motion by Mr. Kelso,

The county of Ohio was added to the bill.

On motion by Mr. Goodwin,

The county of Daviess was added to the bill.

On motion by Mr. Starbuck,

The county of Union was added to the bill.

On motion by Mr. Duvall,

The county of Parke was added to the bill.

On motion,

The rules were suspended, and the bill read a third time and  
passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 135. A bill to authorize the commissioners of Porter county  
to employ a physician for the poor ;

Was read a second time and ordered to a third reading.

On motion,

The rules were suspended and the bill read a third time and  
passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 163. A bill for the relief of Charlotte Slaughter, of the  
county of Morgan ;

Was read a second time, and,

On motion by Mr. Starbuck,

Laid on the table.

No. 213. A bill to amend an act entitled "an act to establish a  
levee from the town of Vincennes through the lower prairie near

the Wabash river to the Grand Coulee, approved 2d February, 1833 ;  
 Was read a second time and ordered to a third reading.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 233. A bill to change the time of the meeting of the General Assembly of this State from the first Monday in December to the first Monday in January ,

Was read a second time, and,

On motion by Mr. Meredith,

Laid on the table.

No. 246. A joint resolution relative to the Terre Haute Drawbridge company ;

Was read a second time, and

On motion by Mr. Kelso,

Laid on the table.

No. 250. A bill to authorize merchants to vend clocks ;

Was read a second time, and,

On motion by Mr. Wolfe,

Laid on the table.

No. 266. A bill relative to a bridge across Deer creek in Carroll county ;

Was read a second time, and,

On motion by Mr. Starbuck,

Laid on the table.

No. 88. A bill fixing the salaries of the trustees of the Wabash and Erie canal ;

Was read a second time and ordered to a third reading.

Mr. Frazer, on leave, introduced

No. 391. A bill to extend the time for making the annual settlement by the Treasurer of Kosciusko county ;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from his Excellency the Governor, by Mr. Carr, his private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives, that he has approved and signed the following bills :

No. 336. An act to amend the act entitled "an act to incorporate the Madison and Brownstown Turnpike company ;

No. 374. An act to regulate clerk's fees in the probate court of Park county ;

No. 14. An act to ascertain and establish the boundaries of certain roads in the counties of Warren and Montgomery :

No. 56. An act to prevent Treasurers and other officers in the counties of Steuben, De Kalb, and Noble, from receiving constructive per centages ;

No. 180. An act for the relief of Solomon May, Sr.

No. 228. An act to establish a State road from Bloomington to Point Commerce ;

No. 194. An act authorizing the election of additional justices of the peace in the township of Adams, Madison county, Ind.; also authorizing the election of an additional justice of the peace in Jackson township, Hancock county; may, on the first Monday of April next, elect an additional justice of the peace for said township, who shall hold his office in the town of Port Lauree in said township; and it may be lawful for the qualified voters of Jones township in the county last aforesaid, to elect, on the first Monday of April next, an additional justice of the peace for said township, who shall hold his office in the town of Philadelphia in said township;

No. 210. An act to compel speculators to pay a road tax equal to that paid by actual settlers, and for other purposes, in the county of Tipton ;

No. 327. An act in relation to paupers in the county of Dearborn ;

No. 269. An act to incorporate the Montezuma canal lock company ;

No. 113. An act in relation to the real and personal estate of John Fischli, late of Jackson county, Indiana ;

No. 43. An act to vacate a part of the town of Sparta in Noble county ;

No. 345. An act to incorporate the Muncie, Jonesboro', Marion, and Peru Railroad company ;

No. 245. An act extending the provisions of chapter 16 of the Revised Statutes of 1842 to the county of Noble, and for other purposes ;

No. 229. An act to equally distribute the local and general laws of this State ;

No. 280. A bill in relation to the Agent of State for loaning the surplus revenue in Clark county ;

No. 161. An act providing for the election of Township Assessor in the counties of Dearborn, Switzerland, Ohio, and Jay ;

No. 95. An act to incorporate the Central Plank Road Company ;

No. 375. An act to change a portion of a certain State road therein named, in the county of Clay ;

No. 195. An act to provide for the location of a State road in Grant and Wabash counties ;

No. 349. An act legalizing a State road in Porter county ;

No. 263. An act for the relief of the heirs of Alexander Smith, late of the county of Adams, and also for the relief of Samuel H. Gregg ;

No. 339. An act to amend an act for the relief of Cary S. Goodrich, approved January 27, 1847;

No. 242. An act to repeal an act, approved February 12, 1848;

No. 370. An act to provide for the manner of letting the work of the asylum for the education of the Deaf and Dumb;

No. 234. An act relative to the pay of the probate judge of the county of Grant;

No. 66. An act relating to certain officers in the county of Dearborn;

No. 291. An act to authorize the county commissioners of Daviess county, to vacate State roads therein and for other purposes;

No. 334. An act to authorize the Shelbyville Lateral Branch Rail Road Company to dispose of their real estate;

No. 276. An act to provide for the election of Prosecuting Attorneys in the 4th and 8th judicial circuits;

No. 308. An act for the better security of the surplus revenue fund in Boone county;

No. 347. An act to secure to the common school fund of Jennings county, the value and rents of certain real estate in said county and for other purposes;

No. 335. An act declaring the width of a certain street in the town of Bloomington in the county of Monroe;

No. 337. An act authorizing the location of a State road from the Michigan road near Carroll post office, in Carroll county, to Jonesborough, in Grant county;

No. 176. A joint resolution on the subject of the three per cent. fund;

No. 57. A joint resolution in relation to the seat of Government of the United States;

No. 249. An act for the relief of John Smith of Owen county;

No. 344. An act to locate a State road in the counties of Grant and Delaware;

No. 12. An act to amend the act entitled "An act to incorporate the Madison and Brownstown Turnpike Company," which became a law, Feb. 11, 1848;

No. 340. An act to incorporate the Paris and Dupont Rail Road Company;

No. 124. An act to incorporate the Covington Draw-bridge Company;

All of which originated in the House of Representatives.  
January 16, 1849.

#### SENATE BILLS ON THIRD READING.

No. 194. A bill for the relief of Enoch Reinhart of Carroll county;

Was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

No. 206. A bill for the relief of Geo. N. Waitt;  
Was read a third time.

Mr. Starbuck moved to lay the bill on the table.  
Which motion did not prevail.

Mr. Riley moved to re-commit the bill to a select committee, with instructions to add the name of John Williams and Susannah Williams;

Which motion prevailed.

Mr. Dobson moved to instruct the committee to add the name of Susannah Gibbens of Owen county;

Which motion prevailed.

Mr. Drake moved to instruct the committee to add the name of Robert B. Hardesty, of Marion county;

Which motion prevailed.

Mr. Line moved to instruct the committee to add the name of Wm. Edwards and Sarah E. Edwards of Franklin county;

Which motion prevailed.

Mr. Dougherty of Morgan, moved to instruct the committee to add the name of Phillip J. and Charlotte Slaughter, of Morgan county;

Which motion prevailed.

Messrs. Riley, Dobson, Line, Drake, and Dunn, were appointed said select committee;

Mr. Duvall, on leave, introduced

No. 392. A joint resolution relative to the American Colonization Society;

Which was read a first time and passed to a second reading.

On motion,

The rules were suspended and the joint resolution read a second time.

Mr. Winstandley moved to lay the joint resolution on the table;  
Which motion prevailed.

Mr. Buskirk, on leave, introduced

No. 393. A bill for the relief of the sureties of the executors, administrators, guardians, and commissioners to sell real estate;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Edwards moved to take up joint resolution of the Senate,

No. 286. A joint resolution relative to the Scrip account between the State of Indiana and the Trustees of the Wabash and Erie Canal;

Which motion prevailed.

On motion,

The rules were suspended and the bill read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

On motion by Mr. Winstandley,  
The House adjourned.

7 o'clock, P. M.

The House met.

Mr. Dunn, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House, No. 283, have had the same under consideration and have directed me to report that they find the bill to be a charter of an Insurance Company, with very large and unusual powers, and that the committee are of opinion that it would be improper at this late period of the session, to legislate upon the subject, and therefore recommend that the bill be indefinitely postponed.

Which was concurred in.

Mr. Dunn, from the committee on the judiciary, made the following report :

MR. SPEAKER :

The judiciary committee to which was referred bill of the House No. 237, report it back and recommend it be laid on the table. The House has already passed a bill embracing the same provisions ;

Which was concurred in.

#### ORDERS OF THE DAY.

##### *Senate Bills on Third reading.*

No. 264. A bill on the subject of the Wabash and Erie Canal lands East and West of the Tippecanoe, and for other purposes ;

Was read a third time, and,

The question being on its passage, was decided in the negative.

No. 273. A bill authorizing the sale of certain Sinking Fund lands ;

Was read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

#### SENATE BILLS ON SECOND READING.

No. 281. A bill to amend an act entitled an act to require cer-

tain Statutes to be published in some newspaper at Indianapolis, and for other purposes ;

Was read a second time, and,  
On motion by Mr. Wolfe,  
Laid on the table.

HOUSE BILLS ON THIRD READING.

No. 384. A bill for the more effectual collection of delinquent taxes ;

Was read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate concurs in the engrossed amendments of the House of Representatives to bills of the Senate :

No. 89. A joint resolution authorizing an additional subscription by the State on the stock of the Madison and Indianapolis Rail Road Company, and for the sale thereof;

No. 126. An act more effectually to prevent the retailing of spirituous liquors in certain counties therein named.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendment of the House, to engrossed amendment of the Senate to bill of the House :

No. 254. An act to prohibit the sale of spirituous liquors in Adams and Fall Creek townships, in Madison county, in less quantity than thirty gallons.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the report of the committee of free conference appointed by the two Houses to take into consideration the disagreement of the House to the amendment of the Senate to bill of the House No. 369, making specific appropriations for the year 1849.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House without amendment :

No. 391. An act to extend the time for making the annual settlement by the Treasurer of Kosciusko county.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills of the House without amendment :

No. 384. An act to amend an act entitled an act to incorporate the town of Laporte, approved 18th February, 1839 ;

No. 383. An act to change the name of James Gee, and others, therein named.

A message from his Excellency, the Governor, by Mr. Carr. his private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills this day :

No. 391. An act to extend the time for making the annual settlement by the Treasurer of Kosciusko county ;

No. 238. An act making general appropriations, &c., for the year 1849, and other purposes ;

No. 273. An act to authorize a survey and the making of a plat of the town of Troy, in Perry county ;

No. 239. An act to raise a revenue for State purposes, 1849 ;

No. 29. An act to amend the 10th chapter of the Revised Statutes of 1843, in relation to the duties of County Surveyors ;

No. 272. An act to change the manner of electing the Marshal of the Borough of Vincennes ;

No. 311. An act to amend the 209th section of chapter 30th, of the Revised Statutes of 1843 ;

No. 177. An act to incorporate the Warsaw Manufacturing Company ;

No. 343. An act to repeal an act entitled an act to repeal the fourth section of the forty-seventh chapter of the Revised Statutes, so far as relates to Elkhart county ;

No. 241. An act to authorize the removal of obstructions in Salt Creek, Bean Blossom, and Clear Creek, in the county of Monroe, and for other purposes ;

No. 329. An act to improve a certain road in the county of De-kalb ;

No. 296. An act in relation to the jurisdiction of Justices of the Peace in Wayne county ;

No. 374. An act for the relief of the land owners along the northern line of Ohio county ;

No. 203. An act to alter the time of holding circuit courts in Owen, Morgan, and Brown counties in the tenth judicial circuit ;

No. 285. An act to incorporate the Madison Manufacturing and Ship Yard Company ;

No. 313. An act to incorporate the Preacher's Relief Society of the Methodist Protestant Church of Indiana ;

No. 129. An act to amend an act entitled "an act to amend article 5, chapter 45, of the Revised Code of 1843," approved February 16, 1848 ;

No. 325. An act to change the name of Lewisburgh to that of Eden ;

No. 295. An act in relation to a State road ;

No. 233. An act for the relief of the Christian Church at Stilesville, in Hendricks county, Indiana ;

No. 275. An act to locate a State road in the county of Switzerland and Hancock ;

No. 288. An act to amend an act entitled "an act for the extension of a State road in Lapeorte county, to Winnemac, in Pulaski county ;

No. 333. An act to incorporate the trustees of Clark University ;

No. 290. An act to incorporate the Brownsville and Connerville Turnpike Company ;

No. 330. An act for the relief of Dempsey Linton, of Randolph county ;

No. 13. An act to provide for the election of township assessors in the county of Jay ;

No. 258. An act to repeal an act therein named ;

No. 292. An act to amend article 5, of the Revised Statutes of 1843, relative to writs of ad quod damnum ;

No. 256. An act to incorporate the Troy and Wabash river Railroad Company ;

All of which originated in the House of Representatives.  
January 16, 1849.

Bill of the Senate,

No. 88. A bill fixing the salaries of the trustees of the Wabash and Erie canal ;

Was read a third time.

Mr. Riley moved that the House adjourn.

Which motion did not prevail.

Mr. Wolfe moved that the House adjourn until to-morrow morning at six o'clock.

Which motion did not prevail.

Mr. Ross, of Miami, moved that the House adjourn.

Which motion did not prevail.

The question then recurring on the passage of the bill,

The ayes and noes being demanded by Messrs. Edwards and Withers.

*Those who voted in the affirmative are,*

Messrs. Blakemore, Bryant, Buskirk, Caldwell, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Drake, Dunn, Duvall, Frazer, Ford, Goodwin, Harlan, Hendricks, Hill, Hunt, Jackman, Johnston of Putnam, Jones of Bartholomew, Kelso, Line, Maddox, Miller, Nicholson, Odell, Osborn, Place, Rifner, Riley, Ross of Miami, Ross of Wabash, Smith, Starbuck, Thompson, Tuttle, Vance, Winstandley, Wolfe and Wood—41.

*Those who voted in the negative are,*

Messrs. Alexander, Edwards, Gessie, Withers and Mr. Speaker —5.

There being no quorum voting, the bill did not pass.

Mr. Buskirk moved to reconsider the vote.

Which motion did not prevail.

Mr. Odell moved a call of the House.

Which motion did not prevail.

Mr. Vance moved a call of the House.

On motion by Mr. Kelso,

The House adjourned to meet 35 minutes past 9 o'clock.

35 minutes past 9 o'clock, P. M.

The House met.

On motion by Mr. Blakemore,

The House took up bill of the Senate,

No. 249. A bill to authorize the county commissioners of Cass county to increase the highway tax in said county;

Which was read a third time and passed.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Bryant, on leave, introduced,

No. 394. A bill to provide for the security of the school fund;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Vance moved that there be a call of the House.

Which motion did not prevail.

Mr. Drake, chairman of the committee on military affairs, made the following report:

MR. SPEAKER :

The committee on military affairs to whom was referred the report of the Governor, in reply to a resolution of this House, asking the Governor to communicate to this House the amount of money refunded to the State of Indiana, by the Secretary of War, under a resolution of Congress, approved March 3d, 1847, entitled "a resolution to refund the money to the States, which have supplied volunteers, and furnished them transportation during the present war, before being mustered and received into the service of the United States;" and if any has been received, whether it has been repaid to the General Government, and that he also communicate the amount of money received by this State arising from deductions of pay from the volunteers belonging to the 1st, 2d, and 3d regiments of Indiana Volunteers, and what disposition has been made of the same, have instructed me to report that, from the limited time they have had to examine the report of the Governor, they are of opinion that the report does not communicate the information called for, that that information can only be had at the war department at Washington City, that it appears that the former Governor, Whitcomb, has requested the amount due from each company to be retained by the United States Paymaster from the pay of the company, and they are also of opinion that many of the company have permitted the amount to be thus retained in the hands of the U. S. Paymaster. We therefore respectfully recommend the adoption of the following resolution:

No. 395. A joint resolution requiring the Governor to obtain certain information from the War Department;

Which was read three several times, the rules having been suspended therefor, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Dougherty of Morgan, moved to take from the table bill of the Senate,

No. 275. A bill to amend an act to authorize the people of the

several townships of the several counties, to prohibit the retailing of spirituous liquors.

Which motion prevailed.

On motion by Mr. Kelso,

The county of Ohio was inserted in the bill.

On motion,

The rules were suspended, and the bill read a third time, and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Smith moved to instruct the select committee to whom was referred bill of the Senate No. 206, to so amend the same as to dissolve the bands of matrimony now existing between John Wilson and Sarah Wilson.

Which motion prevailed.

Mr. Jackman moved to instruct the same committee to so amend bill of the Senate No. 206, as to dissolve the bands of matrimony now existing between Allen Rogers and Virginia Caroline Rogers.

Which motion prevailed.

On motion by Mr. Dougherty of Morgan,

The House took from the table bill of the Senate,

No. 281. A bill to amend an act entitled, "an act to require certain Statutes to be published in some newspaper at Indianapolis, and for other purposes;

Which was read a third time and passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Vawter, from the committee on enrolled bills, made the following report:

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bills, and find them correctly enrolled,

No. 347. An act to secure to the common school fund of Jennings county the value and rents of certain real estate in said county, and for other purposes.

No. 57. A joint-resolution in relation to the seat of Government of the United States.

No. 337. An act authorizing the location of a State road from the Michigan road near Carroll Post Office, in Carroll county, to Jonesborough in Grant county.

No. 344. An act to locate a State road in the counties of Grant and Delaware.

No. 276. An act to provide for the election of Prosecuting Attorneys in the 4th and 8th Judicial Circuits.

No. 249. An act for the relief of John Smith of Owen county.

No. 335. An act declaring the width of a certain street in the town of Bloomington.

No. 176. A joint-resolution on the subject of the three per cent. fund.

No. 12. An act to amend the act entitled, "an act to incorporate the Madison and Brownstown Turnpike Company," which became a law February 11th, 1848.

No. 95. An act to incorporate the Central Plank Road Company.

No. 308. An act for the better securing of the Surplus Revenue Fund in Boone county.

No. 295. An act in relation to a State road in Montgomery county.

No. 272. An act to change the manner of electing the Marshal in the borough of Vincennes.

No. 29. An act to extend the duties of county surveyors.

No. 325. An act to change the name of Lewisburgh to that of Eden.

No. 358. An act to repeal an act therein named.

No. 311. An act to amend the 209th section of chapter 30, of the Revised Statutes of 1843.

No. 343. An act to repeal an act entitled, "an act to repeal the 4th section of the 47th chapter of the Revised Statutes, so far as relates to Elkhart county."

No. 326. An act for the relief the Christian Church, at Stilesville, Hendricks county Indiana.

No. 330. An act for the relief of Demsey Linton of Randolph county.

No. 290. An act to incorporate the Connerville and Browns-ville Turnpike Company.

No. 333. A bill to incorporate the Trustees of Clark University.

No. 129. An act to amend an act entitled, "an act to amend article 5 of chapter 45, of the Revised Code of 1843," approved February 16, 1848.

No. 313. An act to incorporate the Preachers' Relief Society, of the Methodist Protestant Church of Indiana.

No. 374. A bill for the relief of land owners along the northern line of Ohio county.

No. 239. An act to raise a revenue for State purposes for 1849.

No. 256. An act to incorporate the Troy and Wabash River Railroad Company.

No. 238. An act making general appropriations for 1849.

No. 275. An act to locate a State road in the county of Switzer-land.

No. 296. An act in relation to the jurisdiction of Justices of the Peace in Wayne county.

No. 285. An act to incorporate the Madison Manufacturing and Ship Yard Company.

No. 171. An act for the relief of the persons named therein.

No. 207. An act to preserve the estate of Leon Bowman, de-ceased.

No. 346. An act to amend section 101 of chapter 38, of the Revised Statutes of 1843.

No. 382. An act prescribing the number of pounds of clover seed to be considered a bushel in this State.

No. 355. An act to locate a State road in Allen county.

No. 77. An act relating to the Baptist Education Society in Indiana.

No. 288. An act to amend an act entitled, "an act for the extension of a State road in Laporte county, to Winnemac in Pulaski county.

No. 292. An act to amend article 5 of the Revised Statutes of 1843, relative to writs of *ad quod damnum*.

No. 177. An act to incorporate the Warsaw Manufacturing Company.

No. 341. An act to authorize the removal of obstructions in Salt Creek, Bean Blossom, and Clear Creek, in Monroe county.

No. 273. An act to authorize a survey of and the making of a plat of the town of Troy in Perry county.

No. 329. An act to incorporate a certain road in DeKalb county.

No. 203. An act to alter the time of holding Circuit Courts in Owen, Morgan, and Brown counties, in the 10th Judicial District.

No. 363. An act to vacate the town of Mount Pleasant in the county of Madison.

No. 259. An act authorizing the voters of Switzerland county to determine the location of the county seat of said county, and fix the same.

No. 250. An act to amend an act entitled, "an act to lease the Indiana State Prison and for other purposes," approved January 16, 1846.

No. 367. An act to amend an act "empowering Rachael Blair, administratrix of the estate of Enos Blair, deceased, former collector of Monroe county, to collect arrears of taxes," approved January 19, 1846.

No. 147. An act to amend an act entitled, "an act to incorporate the Indiana Canal Company."

No. 376. An act relative to the Probate Court of Morgan county.

No. 381. An act to authorize the Auditor and School Commissioner of Morgan county, to make a deed in a certain case therein named.

No. 279. An act to prevent the sale of spirituous liquors in Posey township in the county of Rush.

No. 368. An act in reference to the appointment of Probate Judge of Wayne county.

No. 287. An act to amend the charter of the town of Williamsburgh in Wayne county.

No. 391. An act to extend the time of making the annual settlement by the Treasurer of Kosciusko county.

No. 302. An act for the relief of Elisha Driskill.

No. 322. An act in relation to the powers and duties of the Treasurer of Congressional townships in Daviess county.

No. 303. An act to amend an act entitled, "an act for the relief of the securities of John Plasters, School Comissioner of Miami county," approved February 2, 1843.

No. 23. An act to authorize Jane Bushnel Jenks, to hold and convey real estate.

No. 352. An act to amend an act to incorporate the Richmond and Boston Turnpike Company;

No. 159. An act to extend the Lawrenceburgh and Rushville railroad to the coal region near Point Commerce in Green county, via Martinsville, Gosport and Spencer;

No. 304. An act authorizing a State road running from Jonesborough in Grant county, to Lafayette in Tippecanoe county;

No. 385. A bill to change the name of James Gee, and others therein named;

No. 354. An act to incorporate the town of Cloverdale;

No. 320. An act to amend at act entitled "An act appointing a board of superintendents to superintend the changing of the channel and leveling the banks of Jordan creek in Vigo county, and for other purpores," approved January 15, 1846;

No. 301. An act to amend article 2 of chapter 42 of the Revised Statutes of 1843;

No. 293. An act to incorporate the Eclectic Institute of Indiana;

No. 260. An act to attach additional territory to the county of Laport, and for other purposes;

No. 167. An act to increase and extend the benefits of common schools;

No. 357. An act to incorporate the Frankfort Railroad Company;

No. 358. An act to vacate a certain road in the county of Switzerland;

No. 362. An act to amend an act approved 15th January, 1844, in relation to the publication of delinquent lists so far as relates to the counties of Stuben and DeKalb;

No. 300. An act to legalize certain acts of the board of commissioners of Lagrange county:

No. 147. An act to amend an act entitled an act to incorporate the Indiana Canal Company, approved December 6, 1848;

No. 360. An act setting apart two acres of ground in Marshall county for a burying ground:

No. 254. An act to prohibit the sale of spirituous liquors in Adams and Fall Creek townships in Marion county, by a less quantity than thirty gallons;

Wheresoever the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Vawter, from the committee on enrolled bills made the following report :

MR. SPEAKER :

The committee on enrolled bills have examined the following enrolled with the engrossed bills, and find them correctly enrolled :

No. 370. An act to provide for the manner of letting the work for the asylum for the education of the deaf and dumb ;

No. 334. An act to authorize the Shelbyville Lateral Branch Railroad Company to dispose of their real estate ;

No. 161. An act providing for the election of township assessors in the counties of Dearborn, Switzerland and Ohio ;

No. 280. A bill in relation to the agent of State for loaning the surplus revenue in Clark county ;

No. 375. An act to change a portion of a certain State road in the county of Clay ;

No. 263. An act for the relief of the heirs of Alexander Smith late of Adams county, deceased ;

No. 124. An act to incorporate the Covington Draw Bridge Company ;

No. 43. An act to vacate a part of the town of Sparta in Noble county ;

No. 345. An act to incorporate the Munsie, Jonesboro, Marion, and Peru Railroad Company ;

No. 349. An act legalizing a State road in Porter county ;

No. 340. An act to incorporate the Paris and Dupont Railroad Company ;

No. 245. An act extending the provisions of the 16th chapter of the Revised Statutes of 1843 to the county of Noble, and for other purposes ;

No. 66. An act relating to certain officers in the county of Dearborn ;

No. 291. An act to authorize the county commissioner of Daviess county to vacate State roads therein, and for other purposes ;

No. 234. A act relative to the pay of the probate judge of the county of Grant ;

No. 342. An act to repeal an act approved February 12, 1848 ;

No. 339. An act to amend an act for the relief of Carney S. Goodrich ;

No. 229. An act to equally distribute the local and general laws of this State ;

No. 195. An act to provide for the location of a State road in Grant and Wabash counties ;

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Brady, chairman of the committee on the affairs of the town of Indianapolis, made the following report :

MR. SPEAKER :

The committee on the affairs of the town of Indianapolis to whom was referred the petition of sundry citizens of said town, praying for the passage of a law compelling the owner of blocks Nos. 58 and 59, south of Maryland street, to enlarge said street to the usual width, have, according to order, had the same under consideration, and have directed me to report that it is inexpedient to legislate on said subject at this time, and ask to be discharged from further consideration thereof;

Which was concurred in.

Mr. Blakemore offered the following resolution :

*Resolved*, That when this House adjourn they adjourn to meet to-morrow morning at 6 o'clock.

Mr. Carr moved to strike out "6" and insert "9;"

Which motion did not prevail.

Mr. Starbuck moved to strike out "6" and insert "8;"

Which motion did not prevail.

Mr. Duvall moved to strike out "6" and insert "7;"

Which motion did not prevail.

The question then recurring on the adoption of the resolution,

Was decided in the affirmative.

Mr. Johnston of Putnam moved to adjourn ;

Which motion did not prevail.

On motion by Mr. Riley,

The order of business was suspended for the purpose of giving him an opportunity to make a report.

Mr. Riley, from a select committee made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the Senate No. 206, An act for the relief of George N. Waitt, with instructions to amend said bill, have amended the same as instructed by the House, and directed me to report the same back to the House ;

Amend by adding the following sections :

"Section.— That the bonds of matrimony heretofore and now existing between Wm. Edwards and Sarah E. Edwards, now of the county of Franklin, be and the same are hereby dissolved.

"Sec.— That the bonds of matrimony heretofore existing between Susannah Gibbens and Allen Gibbens, be and the same are hereby dissolved.

"Sec.— That the bonds of matrimony heretofore existing between John Williams and Susannah Williams, be and the same are hereby dissolved.

"Sec. —. That the bonds of matrimony heretofore existing between Robert B. Hardesty and Ellen Hardesty, be and the same are hereby dissolved.

"Sec. —. That the bonds of matrimony heretofore existing between John Wilson and Sarah Wilson, be and the same are hereby dissolved.

"Sec. —. That the bonds of matrimony now and heretofore existing between Allen Rogers and Virginia Caroline Rogers, be and the same are dissolved and declared to be null and void; and that the said Virginia Caroline be and she is hereby appointed guardian of the person of her infant daughter, Louisa Rogers, who is now in her care and custody."

Mr. Kelso moved to re-commit the bill to the same committee, with instructions to insert the names of James and Mary Malosh;

Which motion prevailed.

Mr. Wood moved to further to instruct the committee to provide in said bill, that the bonds of matrimony heretofore existing between John Smith of Randolph county, and his wife, Mary Ann Smith; also, the bonds of matrimony heretofore existing between John W. Singer, of Randolph county, and his wife Sarah Singer, be and the same are hereby dissolved.

Which motion prevailed.

Mr. Dougherty of Morgan, moved to instruct the committee to provide in said bill, that the bonds of matrimony existing between Philip J. and Charlotte Slaughter, be dissolved.

Which motion prevailed.

Mr. Dougherty of Boone, moved to instruct the committee to so amend the bill as to dissolve the bonds of matrimony now existing between Quartus Rust and Elizabeth Rust.

Which motion prevailed.

Mr. Maddox moved to instruct the committee to add a clause as follows:

"That the bonds of matrimony existing between any persons who are dissatisfied with each other, be and the same are hereby dissolved."

Which,

On motion,

Was laid on the table.

A message from the Senate, by Mr. Test, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate does not concur in the amendment of the House to bill of the Senate:

"No. 61. An act explanatory of the act prescribing the manner of assessing and paying the taxes due upon the stock of individuals in the Madison and Indianapolis Rail Road Company," approved February 16, 1848."

On motion,  
The House insisted on their amendment to bill of the Senate,  
No. 61.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill of the House, to-wit:

"No. 393. An act for the relief of the sureties of executors, administrators, guardians, and commissioners to sell real estate."

No. 378. A bill (House) authorizing the refunding of money to certain volunteers therein named ;

Was read a second time, and the question being on its engrossment, was decided in the negative.

No. 380. A bill to provide for funding the unpaid coupons of January 1, 1841, belonging to any class of State bonds heretofore issued ;

Was read a second time, and

On motion by Mr. Wolfe,

Laid on the table.

No. 372. A bill relative to voting in certain townships in Daviess county ;

Was read a third time and the question being on the passage of the bill was decided in the negative.

Mr. Riley, from a select committee, reported back bill of the Senate,

No. 206. A bill for the relief of Geo. N. Waitt ;

Amended as instructed by the House.

Mr. Ford moved that the House adjourn ;

Which motion did not prevail.

Mr. Maddox moved to lay the bill on the table ;

Which motion did not prevail.

On motion by Mr. Kelso,

The House adjourned to meet to-morrow morning, at 6 o'clock.

WEDNESDAY MORNING, JAN. 17, 1849.

The House met.

On motion,  
The reading of the journal was dispensed with.  
A message from the Senate, by their Secretary :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate recedes from its disagreement to the amendment of the House to bill of the Senate,

"No. 61. An act explanatory of the act prescribing the manner of assessing and paying the taxes due upon the stock of individuals in the Madison and Indianapolis Rail Road Company," approved February 16, 1848.

A message from the Senate, by their Secretary :  
MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have adopted the following resolution, to-wit :

*Resolved*, That a committee of two be appointed on the part of the Senate, to act with a similar committee on the part of the House, to wait on his Excellency, the Governor, and inform him that both Houses have gone through with their Legislative business, and are now ready to adjourn, *sine die*, if he has no communications to make to them, and that the House be informed of the adoption of this resolution;

Messrs. Porter and Miller have been appointed said committee on the part of the Senate.

On motion by Mr. Harlan,  
The resolution was reciprocated.

The Speaker appointed Messrs. Harlan and Blakemore said committee on the part of the House.

Leave was granted to Mr. Wolfe to withdraw from the files of the House, bill No. 61. A bill to incorporate the Evansville and Terre Haute Rail Road Company.

Leave was granted to Mr. Smith to withdraw from the files of the House a petition of citizens of Scott county.

Mr. Vawter, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have examined the following enrolled bill with the engrossed copy, and find it correctly enrolled :

No. 369. An act making specific appropriations for the year 1849 ;

Whereupon the Speaker signed the same.

*Ordered*, That the Clerk inform the Senate thereof.

A message from his Excellency, the Governor, by Mr. Carr, his private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills, &c. :

No. 393. An act for the relief of securities of executors, administrators, Guardians, and commissioners to sell real estate ;

No. 302. An act for the relief of Elisha Driskell ;

No. 357. An act to incorporate the Frankfort Branch Rail Road Company ;

No. 260. An act to attach additional territory to the county of Laporte, and for other purposes ;

No. 23. An act to authorize Jane Bushnell Jenks to hold real estate ;

No. 303. An act to amend an act entitled an act for the relief of securities of John Plasters, School Commissioner of Miami county, approved February 2, 1843 ;

No. 293. An act to incorporate the Eclectic Medical Institute of Indiana ;

No. 367. An act to amend an act empowering Rachel Blair, administratrix of the estate of Enos Blair, deceased, formerly Collector of Monroe county, to collect arrears of taxes, approved Jan. 19, 1846 ;

No. 171. An act to regulate the fees and emoluments of the Auditors and Treasurers of the counties of Lagrange and Steuben ;

No. 352. An act to amend an act to incorporate the Richmond and Boston Turnpike Company ;

No. 304. An act authorizing the location of a State Road running from Jonesboro, in Grant county, to Lafayette, in Tippecanoe county ;

No. 159. An act to extend the Lawrenceburgh and Rushville Rail Road to the coal region, near Point Commerce, in Greene county, *via* Martinsville, Gosport and Spencer ;

No. 346. An act to amend section one hundred and one (101) of chapter 38, of the Revised Statutes of 1843 ;

No. 77. An act relating to the Baptist Education Society for Indianapolis ;

No. 385. An act to change the names of certain persons therein named ;

No. 359. An act to authorize the voters of Switzerland county to determine the location of the county seat of said county, and to fix the same ;

No. 322. An act in relation to the powers and duties of the Trustees of Congressional Townships in Daviess county ;

No. 287. An act to amend the charter of the town of Williamsburgh, in Wayne county ;

No. 355. An act to locate a State Road in Allen county ;

No. 382. An act prescribing the number of pounds of Clover Seed to be considered a bushel, in this State ;

No. 376. An act relative to the Probate Court in Morgan county ;

No. 279. An act to prevent the sale of spirituous liquors in Posey township, in the county of Rush ;

No. 381. An act to authorize the Auditor and School Commissioner of Morgan county, to make a deed in a certain case therein named ;

No. 368. An act in reference to the appointment of Probate Judges of Wayne county ;

No. 207. An act to preserve the estate of Leon Bowman, deceased ;

No. 147. An act to amend an act entitled an act to incorporate the Indiana Canal Company, approved December 6, 1848 ;

No. 363. An act to vacate the town of Mount Pleasant in the county of Madison ;

No. 150. An act to amend an act to lease the Indiana State Prison, and for other purposes, approved January 16, 1846 ;

No. 354. An act to incorporate the town of Cloverdale, in the county of Putnam ;

No. 230. An act to amend an act entitled an act appointing a Board of Superintendents to superintend the changing of the channel or leveling the banks of Jordan Creek, in Vigo county, and for other purposes, approved January 15, 1846 ;

No. 254. An act to prohibit the sale of spirituous liquors in Adams and Fall Creek townships, in Madison county, by less quantity than 30 gallons ;

No. 360. An act setting apart two acres of ground in Marshall county for a burying ground ;

No. 300. An act to legalize certain acts of the Board of Commissioners of La Grange county ;

No. 174. An act to amend an act entitled, "an act to incorporate the Indiana Canal Company.

No. 369. An act making specific appropriations for the year 1849.

No. 167. An act to increase and extend the benefits of common schools.

No. 358. An act to vacate a certain road in the county of Switzerland.

No. 362. An act to amend the act approved January 15th, 1844, in relation to the publication of delinquent lists so far as relates to the county of Steuben and De Kalb.

No. 267. An act to incorporate the town of Anderson, in Madison county, and to amend the act incorporating the town of Greenfield, Hancock county.

No. 257. An act in relation to roads and bridges in Bartholomew county.

No. 171. An act for the relief of the person therein named.

All of which originated in the House of Representatives.

*January 17, 1849.*

A message from His Excellency the Governor, by Mr. Carr, his private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed bill,

No. 383. An act to amend an act entitled, "an act to incorporate the town of Laporte, approved Feb. 18, 1839.

Which originated in the House of Representatives.

*January 17, 1849.*

Leave was granted to Mr. Brady to withdraw from the files of the House, a petition.

Mr. Harlan made the following report :

MR. SPEAKER :

The committee appointed on the part of the House of Representatives, to act with a similar committee on the part of the Senate, have waited on his Excellency the Governor, and have received for answer, that he has no further communication to make, and he takes this occasion to wish the members a safe and happy return to their families and homes.

Leave was granted to Mr. Johnston of Putnam, to withdraw from the files a petition of citizens of Putnam county.

Mr. Harlan offered the following resolution :

*Resolved*, That the Senate be informed that the House of Representatives have gone through with their legislative business of the present session, and are now ready to adjourn *sine die*.

Which was adopted.

Mr. Harlan moved that there be a call of the House.

Which motion prevailed.

The following members were present :

Messrs. Alexander, Barbour, Blakemore, Brady, Bryant, Buskirk, Caldwell, Cockrum, Commons, Cravens, Dobson, Donnohue, Dougherty of Boone, Dougherty of Morgan, Dowling, Drake, Dunn, Duval, Edmonston, Edwards, Frazer, Ford, Gessie, Gillum, Goodwin, Hanks, Harlan, Hendricks, Hicks, Hill, Howell, Huckleberry, Hunt, Jackman, Johnson of Putnam, Jones of Bartholomew, Kelso, Line, Maddox, Meredith, Miller, Nicholson, Odell, Orr, Osborn, Place, Rice, Risner, Riley, Ross of Miami, Ross of Wabash, Ryan, Shaw, Smith, Starbuck, Thompson, Tuttle, Vance, Vawter, Wade, Wilson, Winstandley, Withers, Wolfe, Wood, and Mr. Speaker—66.

The following members were absent :

Messrs. Alden, Allen, Bundy, Campbell, Casselbery, Chambers, Cotton, Cox, Dawson, Decker, Doyle, Goldsberry, Graham, Hudleston, Hughes, James, Johnson of Dearborn, Jones of Huntington, Julian, Kelley, Lozier, Meacham, Mills, Morgan, Parker of Allen, Parker of Brown, Pierce, Rippey, Rousseau, Snook, Spencer, Stanton, Webster, and Young—34.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution :

*Resolved*, That the House of Representatives be informed that the Senate have transacted all legislative business and are now ready to adjourn *sine die*.

Mr. Harlan moved that the House adjourn *sine die*.

Whereupon, the Speaker rose and addressed the House, as follows :

*Gentlemen of the House of Representatives :*

Your labors as a deliberative body are now at an end ; six weeks since, we all met in this Hall, from the various parts of this great and growing State, as the representatives of the people ; charged with the high and responsible trust of providing for their common good and general welfare. How far we have succeeded in accomplishing this object, and thereby meeting the just expectation of our common constituents, remains yet to be seen. Our acts are

about to be submitted for approval, to a virtuous, intelligent, and sovereign people, and when they shall have passed upon them, I trust it will be found that our legislation has been such as is best calculated to advance all the interests and institutions of this great and growing State. I take pleasure in saying that as representatives, you have exhibited an industry seldom equalled, and perhaps never surpassed by any former House of Representatives of the State. I embrace this occasion to render to you my sincere thanks for the kind and courteous treatment I have received at your hands, and also for that aid and support which you have at all times so generously given me, and without which, no man could expect or hope to discharge the duties incumbent upon him as a presiding officer, with advantage to others, or credit to himself. I have not the vanity to suppose that in the discharge of my official duty, I have committed no error, but on the contrary, presume there are many; but in sincerity I can say, they are all errors of judgment and not design. For the high compliment you have been pleased to present to me, by unanimously adopting a resolution referring to the discharge of my official duties, I have no language sufficient to express to you my feelings of gratitude.

We are now about to separate, and each of us again to take his place in society as a private citizen. This thought of separation while it heightens our anticipations that soon we shall again enjoy that domestic bliss, from which we have for a time been absent, also brings to mind the unpleasant and solemn reflection that the friendly intercourse with each other, and our associations together are at an end, and that this separation to many of us will be final, for we shall never all meet again, till we shall have passed beyond the shore of time. I feel warranted in saying that if at any time in the excitement of debate, unfriendly feelings have for the moment been enkindled between individuals on this floor, they passed away with the occasion that produced them; here they had their origin, and here their end; beyond these walls they will not be permitted to go. I take pleasure in bearing witness that during the present session your intercourse with each other has been marked by courtesy, and less partisan animosity than I have ever witnessed in this Hall.

Towards each individual member and officer of this House who now hears me, and those who have hastened to their homes, I entertain the kindest personal feelings. I now wish each of you a safe and prosperous journey, not only to your families and friends, but through life; and bid you each a kind farewell.

I now discharge the last duty incumbent upon me, by declaring this House adjourned *sinc die*.

ISAAC SMITH,

*Assistant Clerk,*

*House of Representatives.*



## QUESTION OF ORDER

*Decided at the 30th session of the General Assembly of the State of Indiana,*

By GEORGE W. CARR, of Lawrence, Speaker.

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JANUARY 9, 1849.

Bill of the House "No. 167, a bill to increase and extend the benefits of the common schools," was under consideration.

The question being on the amendment of Mr. Bryant, as amended by Mr. Kelso,

Mr. Wilson moved to reconsider the vote on laying on the table the amendment offered by Mr. Edmonston on the 4th of January, which provides for submitting the law to the people for their approval, &c.

Mr. Kelso raised a question of order on the ground that the pending amendment offered by Mr. Bryant had the precedence over a motion to reconsider.

The Speaker decided that the motion to reconsider was in order, and that it had the precedence over the pending motion to amend.

From which decision Mr. Kelso appealed.

The question then being, "shall the decision of the Chair stand as the judgment of the House?"

The ayes and noes were demanded by Messrs. Edmonston and Kelso.

The vote stood ayes 51, noes 38.

So the decision of the Chair stands as the judgment of the House.



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## BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES.

Number.	TITLE.  Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.
1	A joint resolution relative to the further extension of slavery,	11	12, 34, 55, 56, 57, 58	-	-	-
2	A bill concerning the manner of electing a U. States Senator,	-	16	33, 49, 50	-	-
3	A bill to incorporate the Williamsburg and Centreville Turnpike Company,	-	16	67, 110, 111	221 33	390 92
4	A bill for the relief of Walter Hilt,	-	33	-	-	-
5	A bill limiting the time for presenting complaints to grand juries,	-	33	67, 132	-	-
6	A bill to provide for revising the laws, and to reform, simplify, and abridge the rules and practice, pleadings, forms, &c., of the courts of record of this State,	-	33	34	-	-
7	A bill to amend an act, entitled "An act to incorporate the College Corner and Liberty Turnpike Company, and the Liberty and Abington Turnpike Company," approved Jan. 15, 1844, -	-	-	-	-	-
						221 390
						525 233
						525 233

				667
8	A bill to legalize a certain sale made by the Auditor of State,	35	67, 153	
9	A bill to incorporate the Ladies' Signourney Library,	35	67, 77	
10	A joint resolution in regard to the further extension of slavery,	35	58	
11	A bill to provide for taking the sense of the qualified voters of the State of Indiana, on the calling of a Convention to alter, revise, or amend the Constitution of the State,	35	36, 67-8, 132-3, 175	221
12	A bill to amend an act, entitled "An act to incorporate the Madison and Brownstown Turnpike Company," which became a law on the 11th of February, 1848,	36	68, 156	221
13	A bill to change the name of Mary Maranda Landrum,	36	37	568
14	A bill to ascertain and establish the boundaries of certain roads in the county of Warren,	36	68, 94-5	72
15	A bill regulating the duties of the Treasurer of Posey county,	40	68, 189-90	171
16	A joint resolution relative to domestic slavery,	40	58	630
17	A joint resolution relative to the existing post-office laws,	48	[140-41-42-43	320
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22	A joint resolution to vindicate the Indiana Bridge from slander and misrepresentation, and convey real estate, - - - - -	51	69, 70, 71, 72	71-2	544	612	668
23	A bill to authorize Jane Bushnell Jenks to hold a bill to change the name of Isaac Plum Pricket, - - - - -	51	72, 83, 339	352	625	649	668
24	A joint resolution in relation to postage on newspapers and public documents, - - - - -	51	72	72	120	233	668
25	A bill to authorize the judge of the Probate court of St. Joseph county to grant and try writs of habeas corpus, and for other purposes, - - - - -	51	72	83	120	233	668
26	A bill to amend an act entitled an act for the relief of certain persons therein named, approved February 16, 1848, - - - - -	55	72	72	366	269	524
27	A bill to amend an act entitled an act relative to high waters in Jackson county, approved February 16, 1848, - - - - -	61	- - - - -	- - - - -	- - - - -	62	149
28	A bill to extend the duties of County Surveyors, - - - - -	66	80	80	104	186	320
29	A bill to extend the duties of County Surveyors, - - - - -	66	104-5, 143-4	221	600	636	668

30	A bill to provide for the election of township assessors and collectors in the county of Pike,	-	-	-	66	80, 190-91, 271-2, [374, 437, 438]	669
31	A bill to amend the 40th chapter of the Revised Statutes of 1843,	-	-	-	66	81, 154, 272-3, 286,	233
32	A bill to amend an act entitled an act to incorporate the Centreville and Abington Turnpike Company, approved February 12, 1848,	-	-	-	66	81	105 171
33	A bill defining the duties of administrators <i>de bonis non</i> in certain cases,	-	-	-	66	81, 135	221 544
34	A bill to regulate the fees and salaries of certain officers in Delaware county,	-	-	-	67	81, 152, 153, 176-7, [270, 271, 352]	613
35	A bill to authorize justices of the peace in Harrison county to perform the duties of Coroner in certain cases,	-	-	-	67	82	105 186
36	A bill to change the name of Andrew Turner to that of John Anderson Barnes,	-	-	-	67	82	105 230
37	A bill to repeal an act entitled an act to confine voters to their respective townships,	-	-	-	67	82	354
38	A bill to vacate a part of a certain road in the county of Dearborn,	-	-	-	67	82-3, 135-6	320
39	A bill to vacate a certain street, and certain town lots in the town of Greencastle,	-	-	-	76	91, 122, 155	525
40	A bill explanatory of an act therein named,	-	-	-	76	91	
41	A bill for the relief of Robert Jones,	-	-	-	76	91, 156, 166	
42	A bill to authorize the Commissioners of Hamilton county, to borrow money,	-	-	-	76	91	105 208 [158,
43	A bill to vacate a part of the town of Sparta, in Noble county,	-	-	-	77	91, 105	106-7, 146, 157, 354 567 602

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

Number.	TITLE.	Introduced.	Passed House.	Passed Senate.	Proceedings thereon.	Other Proceedings	Approved.
44	A bill to authorize the Recorder of Franklin county to make out a General Index,	77	91, 112	-	-	-	526
45	A bill to amend an act to incorporate the Knightsstown and Shelbyville Rail Road company,	79	91, 110	-	-	-	355
46	A bill to amend an act providing for the appointment of supervisors of highways in the counties of Decatur, Jefferson, and Spencer, approved December 26, 1844,	79	91	-	-	-	233
47	A bill to amend article eleven of chapter 30 of Revised Statutes of 1843,	79	91-2, 134	-	-	-	221
48	A bill in relation to witnesses in the circuit courts and other courts in this State,	79	92, 122-3	-	-	-	105
49	A bill relative to school funds in the county of Clarke,	79	92	-	-	-	105
50	A bill relative to the sureties of justices of the peace,	79	92, 151-2, 221-2, 289,	-	-	[290, 291]	447
51	A bill to authorize a company to construct the Milton and Aurora Turnpike,	79	91, 110,	-	-	-	390

52	A bill for the relief of Alvin N. Blackridge, and the heirs of Robert Thompson, deceased,	79	92	105	230	354
53	A bill for the relief of the voters of the counties of Davies and Martin, - - -	79	92-3, 99, 100, 536-7,			
54	A bill to amend an act entitled an act to incorporate the town of Newcastle, in the county of Henry, - - -	79	100	118	208	320
55	A bill to amend an act to authorize a company to construct the Aurora and Laughery Turnpike, approved February 15, 1848, - -	80	100	118	171	233
56	A bill to prevent Treasurers and other officers from receiving constructive per centages, - -	80	100, 255	352	564	631
57	A joint resolution in relation to the seat of government of the United States, - -	84	100	118	545	632
58	A joint resolution recommending a change in the present mode of electing the President & Vice President of the United States, - -	84	100, 151			
59	A bill to repeal an act entitled an act concerning free negroes and mulattoes, servants and slaves, approved February 10, 1831, and for other purposes, - - -	84	100, 374			
60	A bill to amend an act entitled an act to incorporate the White Water Valley Canal Company, approved January 20, 1842, and for other purposes, - - -	90	100, 380			
61	A bill to incorporate the Evansville and Terre Haute Rail Road, - - -	90	100, 101, 191-2, 198, [242-3-4-5-6, 331-2,			596
62	A bill to amend an act entitled an act to incor-					

## BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

Number.	TITLE.	Introduced.	Passed Senate.	Proceedings thereon.	Passed House.	Approved.	Other proceedings.
63	Porate the Kosciusko, Elkhart, and Miami Rail Road Company, - - -	- - -	90	101	118	274	355
64	A bill for the relief of John McCulloch of Cass county. - - -	- - -	90	101	118	186	320
65	A bill more effectually to provide for the security of the school funds, - - -	- - -	90	90	90	118	233
66	A bill relative to certain affairs in the county of Dearborn, - - -	- - -	90	90	101	505	602
67	A bill for the relief of Aaron Wheeler of LaPorte county, - - -	- - -	90	101	101, 190	222	274
68	A bill to authorize the election of an additional justice of the peace in Adams township, Morgan county, - - -	- - -	90	101	190	532	355
69	A joint resolution relative to the amendments to the Constitution, - - -	- - -	97	114	114	222	274
70	A bill to repeal section 36, chapter 31, of the Revised Statutes of 1843, - - -	- - -	98	114	175	99	114, 152
71	A bill to amend an act entitled, an act to a-						

				673
72	A bill to incorporate the Madison county Hydraulic and Manufacturing Company,	-	99	222
73	A bill to amend chapter 30 of the Revised Statutes of 1843,	-	99	222
H 43	A bill to exempt a homestead from forced sale in certain cases,	-	99	491
74	A bill to repeal so much of section 51, chapter 12, of the Revised Statutes of 1843, as requires the county Treasurer to attend at the places of holding elections in each township for the purpose of collecting taxes, so far as relates to the county of Allen,	-	99	355
75	A bill providing for taking the sense of the qualified voters of this State, on calling a convention to alter, revise, or amend the constitution of this State,	-	99	222
76	A bill relating to the Baptist Education Society for Indiana,	-	99	298
77	A bill regulating the granting of license in the town of Connersville,	-	99	107
78	A bill for the relief of certain land owners within the corporate limits of the city of Rising Sun.	-	99	314
79	A bill to repeal an act to provide for the election of a prosecutor in the several counties in this State,	-	99	355
80		-	107	116, 152, 247-8

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

Number.	TITLE.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other proceedings.	Approved.	
81	A bill amendatory of an act, entitled, an act to incorporate the Hagerstown Canal Company, approved Feb. 15, 1841,	108	-	-	-	-	233	
82	A bill to incorporate the town of Lamasco City, and define the powers of the President and Trustees thereof,	111	-	-	164, 528, 530	259	447, 620	
83	A bill to prevent intemperance in Wayne township, in the county of Henry,	111	-	-	164, 255-6, 352	353	532	
84	A bill for the relief of Christian Aigner,	112	-	-	185	223	274	
85	A bill in relation to bridges &c., in Fayette county, Monroe county, to Findley's Mills, in Jackson county,	112	-	-	-	185	208	
86	A bill to locate a State road from Fairfax, in Monroe county, to Findley's Mills, in Jackson county,	112	-	-	-	112	165	
87	A bill to provide for the election of circuit probate judges,	113	-	-	-	113	223	
88	A bill to facilitate the discharge of mortgages given to the State of Indiana for the payment of bank stock,	113	-	-	-	113	137	
							223	293
								355

89	A bill to authorize the Governor of the State to sell certain rock belonging to the State of Indiana,	-	-	114	185	223	
90	A bill for the relief of Baker Spence,	-	-	114	305	223	227
91	A bill for the relief of Cain Dockry,	-	-	114	137		
92	A bill to authorize the Commissioners of La- porte county to borrow money, and for other purposes,	-	-	114	185	223	355
93	A bill relative to county surveyors,	-	-	114	185, 262	274	
94	A bill to authorize the erection of a new Sem- inary in Henry county,	-	-	114	186	223	355
95	A bill to incorporate the Central Plank Road Company,	-	-	118	{ 262, 296, 297, 438 { 186, 256-7-8, 261	314	631
96	A joint resolution in relation to the time fixed for the payment of semi-annual interest due to the bond-holders of this State,	-	-	127	439	565	566, 602
97	A bill to amend section 336, of chapter 40, of the Revised Code of 1843,	-	-	134	200	223	355
98	A bill to authorize Zabina Wariner, of Deca- tur county, to file a bill in chancery,	-	-	137	200	223	613
99	A bill reducing the fees and salaries of county officers, of Blackford county,	-	-	144	200	223	354
100	A bill for the relief of Matthew McPhertridge, of the county of Monroe,	-	-	145	200	223	524
101	A bill to change a part of a State road in Ver- million county,	-	-	145	200	223	354
102	A bill to regulate the time of holding courts in the fifth judicial circuit,	-	-	145	200, 277	278	525

## BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Proceedings thereon.</i>	<i>Approved.</i>	<i>Other proceedings.</i>
103	A bill to amend art. 2, of chap. 35 of the Revised Statutes of 1843,	-	-	145	200	223	447
104	A bill amendatory of an act entitled “an act to incorporate the Michigan Road Company,” approved Jan. 13, 1845, and an act entitled “an act to amend an act entitled an act to incorporate the Michigan Road Company,” approved Jan. 13, 1845, approved Jan. 19, 1846,	-	-	-	-	223	447, 545
105	A bill for the relief of Magdaline Pfalzgraf,	-	-	157	200	223	418
106	A bill to incorporate the Moscow and Bloomington Turnpike company, in the counties of Franklin and Rush,	-	-	157	200	223	314
107	Joint resolution relative to the reduction of the price of the public land in the great Miami National Reserve,	-	-	158	200, 267	353	544
108	A bill relative to the board of commissioners of the county of Boone,	-	-	160	201	223	329
109	A bill to extend the jurisdiction of justices of	-	-	160	201,	223	274

110	A bill to incorporate the Perrysville and Danville, and Perrysville and Georgetown Plank Road Company,	-	-	160	201, 228	353	416	526
111	A bill to repeal the latter part of the 6th section of an act in relation to the northern division of the central canal, approved Jan. 13, 1846,	-	-	160	201, 266			
112	A bill to amend an act entitled "an act to regulate the mode of doing township business in the county of Elkhart," approved January 13, 1845,	-	-	161	201	223	294	355
113	A bill in relation to the real and personal estate of John Fishli, late of Jackson county, deceased,	-	-	161	201, 215	259	360	631
114	A bill to compensate the Adjutant General for organizing the 4th and 5th regiments of Indiana Volunteers, in 1817,	-	-	161	201, 234, 466-7	468	602	613
115	A bill requiring commissioners appointed to sell real estate to give bond and take an oath,	-	-	161	201, 255			
116	A bill to change the mode of doing county business in the county of Warrick, from justices of the peace to commissioners,	-	-	161	201	223	274	354
117	A bill to reduce the number of grand juries in the county of Greene, and for other purposes,	-	-	161	201, 263			
118	A bill in relation to the duties of Auditor and Agent of State,	-	-	161	202	224	296	355

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—*Continued.*

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings thereon.</i>	<i>Approved.</i>	<i>Other Proceedings.</i>
119	A bill to legalize the election of a prosecuting attorney in the county of Daviess, -	161	202	224	314
120	A bill regulating the salaries of certain officers therein named, -	161	202, 254-5, 315-16	-	355
121	A bill authorizing the Probate Court of Bartholomew county to sit two weeks at its February term, -	161	202	224	274
122	A bill extending the time of working roads and highways in the county of Clay, -	161	202	224	274
123	A bill to change the name of the town of Flemersburg, in the county of Monroe, and for other purposes, -	161	202	224	274
124	A bill to incorporate the Covington Drawbridge Company, -	161	202, 267	353	569
125	A bill amending sections 40 and 42, chapter 28, Revised Statutes of 1843, -	161	202, 262	-	632
126	A bill relative to the collection of taxes in Jackson county, -	161	202-3, 216, 236-7	-	
127	A bill to repeal an act entitled an act providing				

128	A bill creating the Marion Court of Common Pleas,	-	-	-	162, 203	565
129	A bill amending an act entitled "an act to amend article 5, of chapter 45 of the Revised Code of 1843," approved February 16, 1848,	-	-	-	203, 241	320
130	A bill to extend the provisions of an act therein named,	-	-	-	203, 240-41	637
131	A bill to amend the practice in Chancery,	-	-	-	203, 224	323
132	A bill regulating the fees of justices of the peace, mayors, and constables, and for other purposes,	-	-	-	203-4, 229	613
133	A bill to repeal an act entitled an act to extend the jurisdiction of justices of the peace in the counties of Lake and Porter, approved February 14th 1848,	-	-	-	204	224
134	A bill to repeal the latter part of the 16th section of the 10th chapter of the Revised Statutes of 1843, in reference to non-residents,	-	-	-	162	544
135	A bill to regulate the practice in the Supreme Court,	-	-	-	204	224
136	A bill for the relief of H. K. Wright and Jacob Barcus,	-	-	-	204	329
137	A bill for the relief of the sureties of executors, administrators, guardians, and commission-	-	-	-	204, 228-9	329

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—*Continued.*

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings thereon.</i>	<i>Passed Senate.</i>	<i>Approved.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
138	ers, appointed by the circuit or probate courts to sell real estate, - - - - -	162	204				
	A bill to amend the 69th section of the 7th article of the 5th chapter of the Revised Statutes of 1843, - - - - -	162	204				
139	A bill to provide for the election of township assessors in Elkhart county, - - - - -	162	204				
140	A bill to amend the 1st article of the 40th section of the Revised Statutes of 1843, in reference to suits at law, - - - - -	162	204, 229-30				
141	A bill regulating loans of the county Seminary Fund, - - - - -	173	201, 224-5				
142	A bill to pay the laborers employed on the northern division of the Central Canal, -	173	204-5				
143	A bill to amend the act for the government of the Indiana Hospital for the Insane, approved Feb. 15, 1848, - - - - -	174	205				
144	A bill to repeal an act therein named, so far as relates to Owen county, - - - - -	175	205				
				225	274	225	355

145	A bill for the relief of Susanna Gibbons,	-	176	205-6	
146	A bill to incorporate the Mt. Carmel and Harrison Turnpike Company,	-	176	206-7, 267-8	525
147	A bill to amend an act, entitled "An act to incorporate the Indiana Canal Company," in the county of Jackson,	180	207	382	416
148	A bill to provide for the selection of petit jurors in the county of Jackson,	180	207	225	600
149	A bill relative to the Commissioners of the western division of the Buffalo and Mississippi Railroad Company,	180	207, 235-6	236	650
150	A bill to amend an act, entitled "An act to lease the Indiana State Prison, and for other purposes," approved Jan. 16, 1846,	180	207, 377-8	439	355
151	A bill to amend the 50th chapter of the Revised Statutes of 1843,	180	207, 263		
152	A bill to amend an act, entitled "An act to incorporate the Mt. Vernon and New Harmony Railroad Company," approved Feb. 16, 1848,	180	207, 382		
153	A bill to attach certain townships therein named to the county of Blackford,	180	207		
154	A bill changing the mode of assessing State and county revenue in the counties of Daviess, Martin, and Spencer,	180	207	225	
155	A bill to prevent the sale of spirituous liquors in Dalton township, Wayne county, Indiana,	195	-	356	525
156	A bill to repeal a certain law therein named, so far as relates to the county of Elkhart,	197	-	356	416

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—*Continued.*

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings thereon.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Approved.</i>	<i>Other proceedings.</i>
157	A bill relative to the Seminary Fund in Cass Co.,	197					
158	A bill to locate a State road in the counties of Allen and De Kalb,	-	197	356	416	356	525
159	A bill to extend the Lawrenceburg and Rushville Railroad to the coal region near Point Commerce, in Green county, <i>via</i> Martinsville, Gosport, and Spencer,	-	197	356	416	356	525
160	A bill to change a part of the Indianapolis and Pendleton road,	-	198	357	610	357	649
161	A bill to provide for the election of township assessors in Dearborn county,	-	198	356	605	356	613
162	A bill to amend an act, entitled "An act to incorporate the Rushville and Lawrenceburg Railroad Company,"	-	198	357	564	357	631
163	A bill to extend the time of payment to the purchasers of school lands, and for other purposes,	-	198	356	416	356	526
164	A bill to locate a State road in the counties of Lagrange and Elkhart,	-	212	356	416	356	525

165	A bill to prevent the poisoning of fish in the county of Greene, - - - - -	213						525
166	A bill to locate a State road from Wabash in Wabash county <i>via</i> Bluffton in Wells county, to Fort Recovery in Ohio, - - - - -	216						611
167	A bill to increase and extend the benefits of common schools, - - - - -	230	292, 316-17-18-19-20, 354, 368-9, 387-88-89-90, 393-4, 440, 441, 442	356	544			
168	A bill for the relief of John T. Custer, - - - - -	231	356	443	611			651
169	A bill explanatory of an act therein named, - - - - -	232	309	427	605			613
170	A joint resolution relative to land selected by the State of Indiana for canal purposes, - - - - -	234						525
171	A bill for the relief of the person therein named. - - - - -	234		357	416			525
172	A bill for the relief of widows, - - - - -	234		357	416			651
173	A bill locating a State road in the counties of Shelby and Rush, - - - - -	235		357	427			525
174	A bill defining the boundaries of the county of Blackford, - - - - -	237	273	353	566	567		565
175	A joint resolution in relation to the Lafayette, Monticello, and Michigan City Railroad, - - - - -	238		357	416			526
176	A joint resolution on the subject of the three per cent. fund, - - - - -	238		357	546			632
177	A bill to incorporate the Warsaw Manufacturing Company, - - - - -	238	357	489	604			636
178	A bill repealing the several acts exempting soldiers of the Mexican war from paying taxes, - - - - -	240	357					525
179	A bill to amend the plot of Cambridge City, - - - - -	261		261	491			565
180	A bill for the relief of Solomon May, Sen., - - - - -	261						631

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—*Continued.*

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Proceedings thereon.</i>	<i>Approved.</i>	<i>Other proceedings.</i>	<i>684</i>
181	A bill to change the venue in certain cases therein named from the county of Marion to the county of Knox,	- - -	261 261 261	358 358 358	416 416 416	525	525	
182	A bill to provide for the election of township assessors in the county of Scott,	- -	- -					
183	A bill to authorize the letting of the water power at the Northport feeder dam, in Noble county, and for other purposes,	- -	- -					
184	A bill declaring the true intent and meaning of an act entitled, an act defining the duties of county treasurers, approved January 13, 1845,	- - - - -	- - - - -	263 263 263 263 263	358 358 358 358 358	526	526	
185	A bill relative to the jurisdiction of justices of the peace in criminal cases,	- -	- -	269 269	417 417	526	526	
186	A bill in relation to the official misconduct of county commissioners,	- -	- -	269 269	544 544	613	613	
187	A bill in relation to the collection of taxes,	- -	- -	270 270	358 358			
188	A bill for the relief of John Guthrie,	- -	- -		360 360			
189	A bill to amend the act entitled, an act to				272 272			



BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—*Continued.*

Number.	TITLE.	Introduced.	Proceedings thereon.	Approved.	Other proceedings.	686
		Passed Senate.				565
		Passed House.				637
202	A bill to amend an act entitled "an act to incorporate the Richmond and Terre Haute Railroad company," approved January 26, 1847, and an act amendatory thereto, approved February 16, 1848,	-	283	283	425	565
203	A bill to alter the time of holding circuit courts in Owen and Brown counties,	283	363, 496,	497	602	637
204	A bill to amend "an act extending the jurisdiction of the justices of the peace in certain criminal cases," approved Feb. 16, 1848,	-	283	283	491	565
205	A bill for the relief of Bowen B. McFarland, Cephas and Henry McFarland, late of the United States army in Mexico,	283	351,	443	542	612
206	A bill defining the duties of congressional township trustees in Daviess county,	284	-	363	544	612
207	A bill to authorize Oliver S. Pitcher to sell certain real estate,	284	361, 570-71,	572	624	650
208	A bill to confirm a certain change in the Michigan road in Cass county,	-	-	248	491	565

209	A bill to repeal an act therein named,	-	284	363	363
210	A bill to compel speculators to pay a tax equal to that paid by actual settlers in the county of Tipton, and for other purposes,	-	284	363	364
211	A bill to change the time of holding circuit courts in the counties of Jennings and Bartholomew,	-	284	364	564
212	A bill more effectually to protect the property of married women,	-	284	364	612
213	A bill to amend the 105th section of chapter 16 of the Revised Statutes of 1843,	-	284	364	612
214	A bill to resurvey and relocate so much of the Indianapolis and Fort Wayne state road as lies within the counties of Grant, Wells, and Huntington,	-	284	364	612
215	A bill in relation to road tax in St. Joseph county,	-	284	364	612
216	A bill to incorporate the Washington turnpike company,	-	284	364	611
217	A bill to legalize certain acts of the Auditor of Marshall county,	-	284	364	542
218	A bill to authorize supervisors in Wells county to levy an additional road tax when necessary,	-	284	364	542
219	A bill to repeal an act entitled "an act to repeal an act defining the duties of county treasurers, passed January 13, 1845," approved February 14, 1848, relative to the counties of Fulton and Marshall,	-	284	364	542
				364	542
				364	542

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—*Continued.*

Number.	TITLE.	Introduced.	Proceedings thereon.	Approved.	
				Passed Senate.	
				364	417
220	A bill for the relief of Andrew Shaw,	-	284		526
221	A bill to change the name of the Ciceronian Society of the Franklin college, to the name of Alpha Pi,	-	284	364	543
222	A bill to increase the salary of the probate judge of Wayne county,	-	285	365	543
223	A bill relative to roads in Marshall, Fulton, and Starke counties,	-	285	365	543
224	A bill to incorporate the Delphi and Frankfort Plank Road and Turnpike Company,	-	285	294, 381	612
225	A bill to amend an act entitled “an act to regulate the signing of bills of exceptions in the circuit courts,” approved Feb. 16, 1848,	285	365	382	543
226	A bill to exempt the property of invalids from taxation,	-	285	365	543
227	A bill to incorporate the Greensburg and Brookville Turnpike Company,	-	285	365	543
228	A bill defining the duty of the Board of Commissioners of the county of Monroe,	-	285	365	543

229	A bill to equally distribute the local and general laws of this State, - - -	285	365 604
230	A bill to amend an act entitled "an act appointing a board of superintendents to superintend the changing of the channel of Jordan creek, in Vigo county, and for other purposes," approved Jan. 15, 1846, -	285	366, 405-6
H 331	A bill to amend "an act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the board of internal improvements, and the offices of fund commissioner and chief engineer," approved Jan. 28, 1842, - - -	285	407 603
232	A bill to extend the jurisdiction of justices of the peace in Allisonville, Marion Co., -	285	611
233	A bill levying a tax on the inhabitants of the town of Marion, and the addition thereto, and upon persons owning real estate therein, - - -	285	525
234	A bill relative to the pay of the probate judge of the county of Grant, - - -	286	366, 526, 527
235	A bill defining the mode of appointing trustees of the county library, of Sullivan Co., -	286	528 602
236	A bill to extend the jurisdiction of justices of the peace in the county of Rush, -	286	356 543
237	A bill to amend an act entitled "an act to extend the jurisdiction of justices of the peace in certain cases," approved Feb. 16, 1848,	289	527, 634

## BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

690

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced</i>	<i>Proceedings thereon.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other proceedings.</i>	<i>Approved.</i>
238	A bill making general appropriation for the year 1849,	-	295	330, 379, 387	492	603	636
239	A bill to raise a revenue for State purposes, for the year 1849,	-	295	-	325	603	636
240	A bill to authorize the Auditor of Clinton Co. to make a deed in a certain case,	-	295	-	295	367	524
241	A bill to provide for the publication of ordinances in the town of Terre Haute, in certain cases,	-	298	-	298	314	354
242	A bill to change the time of holding courts in the 8th judicial circuit, and to reduce said circuit,	-	298	-	298	554	613
243	A bill in relation to roads and highways in Brown county,	-	298	-	298	390	525
244	A bill to incorporate the American University,	299	-	299	428	565	
345	A bill extending the provisions of chapter 16 of the revised Statutes of 1843, to the county of Noble, and for other purposes,	-	306	-	527	602	631
246	A bill for the relief of Ebenezer F. Lucas, late						

	Superintendent of the Wabash and Erie Canal,	308	527, 589, 594	
247	A bill to incorporate the Oxford, Billingsville, Dunlapsville, and Connerville Turnpike Company,	309		311 390
248	A bill to repeal an act entitled "an act reducing the fees for recording deeds in Dearborn county," approved Feb. 14, 1848,	324		325 544
249	A bill for the relief John Smith, of Owen county,	328		329 568
250	A bill to incorporate the Elkhart and Michigan Railroad Company,	330	436, 452	632
251	A bill for the relief James and Mary Malosh,	330		612
252	A bill to locate a State road in the counties of Martin, Orange, and Crawford,	330		
253	A bill to dissolve the bonds of matrimony between James M. Spradley, and Martha Spradley, of Warrick county,	333	527	330
254	A bill to prevent the sale of spirituous liquors in Adams and Fall Creek townships, in Madison county, by a less quantity than thirty gallons,	333		333 625
255	A bill for the relief of certain citizens of Seminary township, of Gibson county,	333	527	650
256	A bill to incorporate the Troy and Wabash Railroad Company,	334		637
257	A bill in relation to roads and bridges in Bartholomew county.	334		651
258	A bill to repeal an act therein named,	335		335 603

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

Number.	TITLE.	Introduced.	Passed House.	Passed Senate.	Proceedings thereon.	Other Proceedings.	Approved.
259	A bill to change the name of Huntsville, in the county of Randolph, to that of Trenton, -	337	338, 344	345	544		612
260	A bill to attach additional territory to the county of Laporte, and for other purposes, -	340		527	624		649
261	A bill to provide for the speedy completion of the Indiana Hospital for the Insane, -	340	341		463		
262	A bill to straighten the line dividing the counties of Lawrence and Jackson, -	341	529, 530, 594-5				
263	A bill for the relief of the heirs of Alexander Smith, late of Adams county, deceased, -	341		341	563		631
264	A bill to incorporate the Rushville Female Institute, -	341	-	341	543		612
265	A bill for the relief of the heirs of William Whaley, deceased, -	341	-	341	543		611
266	A bill to amend article 13, chapter 40, Revised Statutes of 1843, -	341	-	341	342	464	604
267	A bill to incorporate the town of Anderson, in Madison county, -	342	-	341		568	626
268	A bill to amend an act to provide for the elec-						651

				693
269	A bill to incorporate the Montezuma Canal Lock Company, -	-	484	604
270	A bill to curtail the expenses of the State, -	-	381	544
271	A bill to incorporate the town of Greenastle, in the county of Putnam, -	-	381	545
272	A bill to amend the charter of the borough of Vincennes, -	-	381	545
273	A bill to authorize a survey and the making of a plat of the town of Troy, in Perry county, -	-	527	602
274	A bill to extend the corporation limits of the city of Madison, -	-	528	617
275	A bill to locate a State road in the county of Switzerland, -	-	528	617
276	A bill to provide for the election of a Prosecuting Attorney in the 4th Judicial Circuit, -	-	348	568
277	A bill relating to dockets of justices of the peace in Pleasant Run township, in Lawrence county, -	-	349	543
278	A bill permitting Polly Garland an insane person, to be placed in the Lunatic Asylum, -	349	528	568
279	A bill to prevent the sale of spirituous liquors in Posey township in Rush county, -	349	528	603
280	A bill in relation to the Agent of State for loaning the surplus revenue in Clarke county, -	349	526	602
281	A bill to authorize the Board of Commissioners of the county of Howard to borrow money for a certain purpose, -	-	349	529

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

Number.	Title.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	694
282	A bill to incorporate the Knox Insurance Company,	-	-	-	349	490	525	
383	A bill to incorporate the United States Insurance Company,	-	-	-	349	426, 487-8, 634		
284	A bill regulating the printing of certain annual reports therein named,	-	-	-	349	529	637	
285	A bill to incorporate the Madison Manufacturing and Ship Yard Company,	-	-	-	350	529	603	
286	A bill regulating witnesses' fees in the 11th Judicial Circuit in this State,	-	-	-	350	530	531	
287	A bill to amend the charter of the town of Williamsburgh, in Wayne county,	-	-	-	350	530	603	
388	A bill to amend an act entitled an act for the extension of a road in Laporte county to Winona, in Pulaski county,	-	-	-	350	530	603	
289	A bill repealing an act, approved Jan. 15, 1844, in relation to the duty of county treasurers,	-	-	-	350	531	637	
290	A bill to incorporate the Connerville Turnpike Company,	-	-	-	350	531	603	637

291	A bill to authorize the County Commissioners of Davies county to vacate State roads therein named, and for other purposes, -	350	531	603	632
292	A bill to amend article 5th of the Revised Statutes of 1843, relative to writs of <i>ad quod damnum</i> , -	350	531	603	637
293	A bill to incorporate the Eclectic Medical In- stitution of Indiana, -	350	531	604	649
294	A bill to repeal the latter part of the 6th sec- tion of an act in relation to the Northern Division of the Central Canal, approved Jan- uary 13, 1846, -	350	531	604	637
295	A bill in relation to a State road, -	350	426	604	637
296	A bill relative to justices of the peace, -	350	533	604	637
297	A bill regulating the mileage of members of the General Assembly, and others, -	350	351	533	
298	A bill for the more effectual, just and equal as- sessment of personal property, money, cred- its and capital stock of money and stock cor- porations, -	351	428-9-30-31-2-3-	436	
299	A bill establishing a judicial circuit probate system, -	375	534	4-5-6]	
300	A bill to legalize certain acts of the Board of commissioners of LaGrange county, -	375	535	625	650
301	A bill to amend article 2 of chapter 42 of the Revised Statutes of 1843, -	375	535	625	649
302	A bill for the relief of Elisha Driskell, A bill to amend an act entitled "an act for the relief of the securities of John Plasters,	376	536	625	
303					

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—*Continued.*

696

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Proceedings thereon.</i>	<i>Approval.</i>	<i>Other Proceedings.</i>
304	school commissioner of Miami county," approved Feb. 2, 1843.	377	- - -	536	625
	A bill authorizing a State road, running from Jonesborough in Grant county to Lafayette in Tippecanoe county,	- - -	-	536	625
305	A bill authorizing the leasing of the finished portion of the Central Canal, and for other purposes,	379	- - -	536	543
306	A bill to legalize a certain deed therein named, bill supplemental to bill No. 54, entitled "a bill to amend the Indianapolis and Peru Railroad charter,"	380	- - -	352	543
307	A bill for the better security of the Surplus Revenue fund in Boone county,	384	- - -	536	612
308	A bill to amend an act entitled "an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors," approved Jan. 28, 1847,	384	403	404	604
309	- - -	- - -	-	-	632
					384
					537

310	A bill concerning the funds arising from leasing the Indiana State Prison, and for other purposes,	-	-	384	404-5, 443	
311	A bill to amend the 209th section of chapter 30 of the Revised Statutes of 1843;	-	-	384	636	
312	A bill relative to school funds in Vermillion county,	-	-	384	604	
313	A bill to incorporate the Preachers' Relief Society of the Methodist Protestant Church of Indiana,	-	-	385	465	
314	A bill to amend the act entitled "an act to incorporate the Madison Cemetery," approved Jan. 19, 1846;	-	-	385	637	
315	A bill in relation to the road tax in Adams county,	-	-	385	611	
316	A bill supplemental to the 14th article of the 47th chapter of the Revised Statutes,	-	-	385	611	
317	A bill to change the name of the Cannelton Steam Mill and Manufacturing Company, and authorizing them to mine coal,	-	-	385	386	
318	A bill to repeal so much of an act therein named as relates to the county of Jackson,	-	-	385	386	
319	A bill to incorporate the Peru and Rochester Turnpike company,	-	-	385	606	
320	A bill to legalize the sale of delinquent lands and lots in the county of Crawford,	-	-	386	613	
321	A bill to regulate the mode of doing county business in the county of Putnam,	-	-	387	611	
				387	543	612

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

Number.	TITLE.	Introduced.	Passed House.	Passed Senate.	Approved.	Other proceedings.
322	A bill to amend article thirteen, chapter thirteen, of the Revised Statutes of 1843,	387	592	593	625	650
323	A bill fixing the fees of the Auditor of Switzerland county,	-	407	407	491	698
324	A bill establishing a State road in the counties of Rush and Henry,	-	409	409	604	565
325	A bill to change the name of Lewisburg to that of Eden,	-	410	410	545	613
326	A bill for the relief of the Christian church at Stilesville, in Hendricks county, Indiana,	410	410	410	604	637
327	A bill in relation to paupers in the county of Dearborn,	410	410	410	604	637
328	A bill to establish a State road from Bloomington to Point Commerce,	-	410	411	604	631
329	A bill to improve a certain road in De Kalb county,	-	411	411	604	631
330	A bill for the relief of Dempsey Linton of Randolph county,	-	411	411	605	637
331	A bill to repeal an act entitled, “an act to con-	-	411	411	605	637

332	A bill to incorporate the Rockville and Montezuma Plank Road Company, -	-	412	537	425	427	526
333	A bill to incorporate the Trustees of the Clark University, -	-	412	-	412	545	637
334	A bill to authorize the Shelbyville Lateral Branch Railroad Company to dispose of their real estate, -	-	412	-	413	605	632
335	A bill declaring the width of a certain street in the town of Bloomington, -	-	413	-	413	605	632
336	A bill to amend an act entitled, "an act incorporating the Madison and Brownstown Turnpike Company, -	-	413	-	413	605	630
337	A bill authorizing the location of a State road from the Michigan road near Carroll post office, in Carroll county, to Jonesborough in Grant county, -	-	413	-	413	605	632
338	A bill to straighten the line between Dearborn and Ohio counties, -	-	444	535	466	604	632
339	A bill to amend an act for the relief of Carey S. Goodrich, approved Jan. 27, 1847, -	-	466	-	471	604	632
340	A bill to incorporate the Paris and Dupont Railroad Company, -	-	470	-	471	604	637
341	A bill to authorize the removal of obstructions in Salt creek in Monroe county, -	-	471	-	471	604	632
342	A bill to repeal an act approved Feb. 12, 1848,	-	471	-	471	602	632
343	A bill to repeal an act entitled "an act to re-	-	-	-	-	-	-

**RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.**

<i>Number.</i>	<i>Title.</i>	<i>Introduced.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Other Proceedings thereon.</i>	<i>Approved.</i>
3344	A bill to amend section one hundred and one (101) of chapter thirty-eight, (38), of the Revised Statutes of 1843,	477	477	477	477	636
3345	A bill to incorporate the Muncie, Jonesborough, Marion, and Peru Railroad Company,	-	478	-	478	632
3346	A bill to secure to the common school fund of Jennings county, the value and rents of certain real estate in said county, and for other purposes,	478	478	478	478	631
3347	A bill for the relief of Martha Modawell, widow of Adam Modawell, deceased,	-	-	479	479	649
3348	A bill to legalize a State road in Porter county,	-	-	-	481	632
3349	A bill for the relief of Robert Earl of Marion county,	-	-	-	481	631
3350		-	-	-	-	485

351	A bill to amend the 8th article of the 12th chapter of the Revised Code,	-	-	492
352	A bill to amend an act to incorporate the Richmond and Boston Turnpike Company,	-	-	497
353	A bill declaring Market street in the town of Indianapolis a public highway,	-	-	498
354	A bill to incorporate the town of Cloverdale,	-	-	498
355	A bill to locate a State road in Allen county,	-	-	500
356	A bill for the division of certain school funds to the Seminary funds in the county of Elkhart,	-	-	501
357	A bill to incorporate the Frankfort Railroad Company,	-	-	501
358	A bill to vacate a certain road in the county of Switzerland,	-	-	502
359	A bill to authorize the voters of Switzerland county to determine the county seat of said county and fix the same,	-	-	502
360	A bill setting apart two acres of ground in Marshall county, for a burying ground,	-	-	502
361	A bill to repeal an act therein named,	-	-	503
362	A bill to amend the act approved 15th January, 1844, in relation to the publication of delinquent lists, so far as relates to the counties of Steuben and DeKalb,	-	-	503
363	A bill vacating the town of Mt. Pleasant, in the county of Madison,	-	-	504
364	A bill for the relief John Condra and others,	-	-	504
365	A bill to amend an act entitled an act to author-	-	-	505

## BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Passed Senate.</i>	<i>Passed House.</i>	<i>Proceedings thereon.</i>	<i>Approved.</i>	<i>Other Proceedings.</i>
366	ize the people of the several townships in the several counties, to prohibit the retailing of spirituous liquors, approved January 28, 1847,	- - -	505	506	507		
367	A bill to change a certain road therein named, in the counties of Jefferson and Jennings,	-	508	610			
368	A bill to amend an act empowering Rachel Blair, administratrix of the estate of Enos Blair, deceased, former collector of Monroe county, to collect arrears of taxes, approved January 19, 1846,	- - -	508		509	625	649
369	A bill in reference to the appointment of probate judge in Wayne county,	-	534		534	625	650
370	A bill making specific appropriations for the year 1849,	- - -	539		542	615-16, 622, 626-7,	650
371	A bill to provide for the manner of letting the work of the Asylum for the education of the Deaf and Dumb,	- - -	-	-	551	603	632

372	A bill relative to voting in certain townships in Daviess county, - - -	557	596, 647					
373	A bill to regulate Clerks' fees in the probate court of Parke county, - - -	560		560	603			630
374	A bill for the relief of the land owners along the northern line of Ohio county, - - -	560		52	603			637
375	A bill to change a portion of a certain State road in the county of Clay, - - -	561		561	603			631
376	A bill relative to the probate court of Morgan county, - - -	590		590	625			650
377	A bill to amend article 2 of the Revised Statutes of 1843, relative to the right of ejectment and the right of occupying claimants, - - -	591		591				591
378	A bill to authorize the refunding of money to certain volunteers therein named, - - -	591	596, 647					
379	A bill to incorporate the Delphi and Burlington Plank Road Company, - - -	599		599	604			
380	A bill to provide for the funding of unpaid coupons of January, 1841, belonging to any class of State bonds heretofore issued, - - -	601	647					
381	A bill to authorize the Auditor and School Commissioner of Morgan county, to make a deed in a certain case therein named, - - -	601		601	625			650
382	A bill prescribing the number of pounds of clover seed to be considered a bushel in this State, - - -	601		601	625			601, 625

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES — *Continued.*

<i>Number.</i>	<i>TITLE.</i>	<i>Introduced.</i>	<i>Passed House.</i>	<i>Passed Senate.</i>	<i>Proceedings thereon.</i>	<i>Approved.</i>	<i>Other Proceedings.</i>
383	A bill to amend an act entitled an act to incorporate the town of Laporte, approved February 18, 1839,	-	-	613	636	613	636
384	A bill for the more effectual collection of delinquent taxes,	-	-	614	-	635	-
385	A bill to change the name of James Gee and others therein named,	-	-	614	636	614	636
390	A joint resolution concerning the distribution of the School Law, passed at the present session of the General Assembly;	-	-	623	-	630	636
391	A bill to extend the time for making the annual settlement by the Treasurer of Kosciusko county,	-	-	-	-	630	636
392	A joint resolution relative to the American Colonization Society,	-	-	630	-	633	-
393	A bill for the relief of the sureties of the executors, administrators, guardians, and commissioners to sell real estate,	-	-	-	-	633	647

394	A bill to provide for the security of the School Fund,	-	-	-	-	639
395	A joint resolution requiring the Governor to obtain certain information from the War Department,	-	-	-	-	639

## BILLS AND JOINT RESOLUTIONS OF THE SENATE.

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
1	A bill to authorize Robert Rossington to file a divorce at the January special term, 1849, of the Dearborn circuit court,	-	33	72	
4	A bill to incorporate the Richmond and Newport Turnpike Company, -	-	165	208	281
6	A bill to exempt the county of Washington from the force and operation of the 61st section of the act, entitled "An act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the Board of Internal Improvements and the offices of Fund Commissioner and Chief Engineer," approved January 28, 1842, -	-	165	208, 213	246
7	A bill to transfer certain cases now pending in the Harrison circuit court to the probate court of said county,	-	106	116	246
8	A bill to incorporate the Richmond and Williamsburg Turnpike Company, -	-	165	208, 265	436
10	A bill to incorporate the Columbus, Nashville, and Bloomington Railroad Company, -	-	106	116, 174	569, 572
					246
					294

11	A bill to authorize the Secretary of State to send additional copies of the laws of the State to the county of Jay,	106	116	246
12	A bill to fix the time of holding courts in the 1st judicial circuit and the probate courts of Tippecanoe county,	106	116, 144	246
13	A bill to authorize the election of township assessors in the county of Jay, -	-	-	619
14	A bill to amend an act, entitled "An act creating the Tippecanoe court of common pleas, and defining its jurisdiction," approved Jan. 18, 1848, -	106	208-9, 272, 436	436
16	A bill to amend the act incorporating the Harrison, New Trenton, Rochester, and Brookville Turnpike Company,	165	209, 264	544
18	A bill to incorporate the Laporte Iron Manufacturing Company, -	165	266	436
19	A bill to amend "An act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, and to amend the same," approved Feb. 14, 1848, -	165	266	545
20	A bill to authorize the establishment of additional branches of the State Bank of Indiana, -	165	266	340
21	A bill to authorize Patsey C. Paden to sell certain real estate which she inherited from her father, -	84	104, 312, [326-27] 313-14,	328
22	A bill to incorporate a Company to construct a Railroad from Evansville, on the Ohio river, to connect with the Ohio and Mississippi Railroad, at or near Olney, in the State of Illinois, <i>via</i> Princeton, Gibson county, Indiana, and Mt. Carmel, Illinois, -	184	209	367
23	A bill to incorporate the Trustees of the Greencastle Female Collegiate Seminary, -	118	162-3, 175	246
24	A bill repealing a certain act therein named, -	219	248	437
				569

BILLS AND JOINT RESOLUTIONS OF THE SENATE—*Continued.*

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before Passage.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>
25	A bill to incorporate the Cross Plains and Laugherdy turnpike company,	-	-	127 219	181, 209, 264-5 248, 288-9
26	A joint resolution on the independence of Liberia,	-	-	-	437 569, 624
29	A bill to give effect to the last will and testament of Jane Parker,	-	-	165	209
30	A bill fixing the times of holding the several circuit courts in the eleventh judicial circuit,	-	-	184	247
31	A bill to amend an act entitled, an act regulating the practice of law in the Allen circuit court, and for other purposes, approved 15th January, 1844,	-	-	165	437
34	A bill to locate a State road in the counties of Decatur, Jennings, and Bartholomew,	-	-	106	117
35	A bill to incorporate the Lafayette Plank Road Company,	-	-	181	{209, 213-14-15 (227, 247)
39	A bill to amend and extend section 60, of chapter 38, of the revised laws of 1843, so far as Jefferson county is concerned,	-	-	184	277 288
40	A bill incorporating the Dayton and Frankfort Plank Road Company,	-	-	165	345 437 209
					247

41	A bill to amend the law relative to costs in appeals from justices of the peace,	-	-	-	-	184	248, 306
42	A bill defining the duties of county treasurers in the several counties therein named,	-	-	-	-	118	163
43	A bill to amend the statute regulating the granting of divorces,	-	-	-	-	184	248
45	A bill authorizing David Moss to sell certain stone in Hamilton county,	-	-	-	-	184	248
46	A bill fixing the time of holding courts in the counties of Lake, Porter, and Laporte,	-	-	-	-	106	117, 156
47	A bill to incorporate the Lima Band,	-	-	-	-	165	248, 312
48	A bill authorizing the construction of Plank Roads,	-	-	-	-	181	265
49	A bill relative to the Law Library,	-	-	-	-	184	249, 268
50	A bill to authorize the establishment of a ferry across the Wabash river at the town of Independence,	-	-	-	-	166	249
51	A bill to amend an act to amend and reduce into one, the several acts relating to the corporation of the town of Vevay, approved Jan. 20, 1846,	-	-	-	-	106	117
53	A bill to incorporate the Fairplay Fire Engine and Hose Company, of the city of Madison,	-	-	-	-	166	249
54	A bill to amend the Peru and Indianapolis Rail Road charter,	-	-	-	-	166	249, 252, 338
55	A bill to amend an act to incorporate the Fairfield Hydraulie company,	-	-	-	-	166	249, 280
56	A bill to change the name of Emeline Grubb,	-	-	-	-	127	181, 249
57	A bill to legalize the sale of certain school sections therein named,	-	-	-	-	127	181, 249
58	A joint resolution relative to the right of way for a railway in Illinois,	-	-	-	-	166	249

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

Number.	TITLE.	Reported from Senate.	Proceedings before passage.	Passed House.	Other proceedings.
59	A joint resolution relative to the right of way of the Ohio and Mississippi Railroad in Illinois, -	-	166	249	249
60	A bill to provide for taking the sense of the qualified voters of the State, on the calling of a convention to alter, amend, or revise the Constitution of this State, -	-	421	532	532
61	A bill explanatory of the "Act prescribing the manner of assessing and paying the taxes due upon the stock of individuals, in the Madison and Indianapolis Railroad Company," approved 16th February, 1848,	-	620	621	646, 647, 648
62	A bill to legalize the location of a certain road therein named, -	-	118	163, 352	437
63	A bill to amend the several acts now in force incorporating the town of Greensburg, -	-	-	166	249-50
64	A bill in relation to the highway tax of LaGrange county, -	-	127	181, 250, 339	260
65	A bill to incorporate the Brookville and Fairfield Turnpike Company, -	-	-	184	437
69	A bill to incorporate the United Protestant German Zion Church in Union township, Shelby county, Indiana, -	-	250	-	260
					182

71	A bill to authorize the Governor, Auditor and Treasurer, to borrow a sum of money not to exceed ninety-five thousand dollars, to pay the interest due on the funded debt, on the first of January, 1849,	-	-	-	127	128, 129, 130, 131 131
72	A bill to amend an act entitled "An act to incorporate the Crawfordsville and Wabash Railroad Company," approved 19th January, 1846,	-	-	-	166	250
73	A bill relative to the sale of school lands in certain counties therein named, and to amend article 13, chapter 13, of the Revised Statutes of 1843,	-	-	-	184	250
74	A bill to repeal section 3, chapter 28, Revised Statutes of 1843, relative to contracts with Indians,	-	-	-	184	250, 307
75	A bill to incorporate the general association of Baptists in Indiana,	-	-	-	184	250
76	A bill to define the jurisdiction of the justices of the peace in the several counties therein named,	-	-	-	166	250-51, 345 [402
77	A bill for the relief of John and Sarah Wilson,	-	-	-	127	181, 251, 397 to
78	A bill for the relief of William Armstrong,	-	-	-	184	251
79	A joint resolution to provide for the enforcement of the State debt act, and the act supplemental thereto,	-	-	-	451	452
80	A bill to amend an act entitled an act to revive an act to incorporate the city of Logansport, approved 13th Jan. 1845,	-	-	-	132	132
81	A bill to incorporate the Madison Marine Insurance Company,	-	-	-	284	251, 312
82	A bill to incorporate the Richmond Bridge and Turnpike Company,	-	-	-	184	251, 311, 312
84	A bill to incorporate the Washington and Rockport Railroad Company,	-	-	-	231	252
85	A bill for the relief of Lavina Whisler,	-	-	-	185	260

BILLS AND JOINT RESOLUTIONS OF THE SENATE—*Continued.*

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
86	A bill in relation to the New Albany and Salem Railroad Company,	-	-	182	252, 335-6 337
87	A bill to amend an act entitled “an act to authorize the construction of plank or coal roads,” approved February 16, 1848,	-	-	185	315, 373 374
88	A bill fixing the salaries of the trustees of the Wabash and Erie canal,	-	-	219	630, 637-8
89	A joint resolution authorizing an additional subscription by the State in the stock of the Madison and Indianapolis Railroad company, and for other purposes,	-	-	182	635
90	A bill to increase the pay of the auditor of Hamilton county,	-	-	199	627
91	A bill to extend the time of the sessions of March and June terms of the board of commissioners of Knox county,	-	-	185	590
92	A bill to enable the White Water Valley Canal Company to put said canal in repair,	-	-	421	{ 425, 483-4-5, 493-4-5-6
93	A joint resolution to authorize the purchase of the picture of the Tippecano battle ground,	-	-	199	628
97	A bill to incorporate the Hillsborough Horse Thief Detecting Company, -	-	-	-	182 628

98	A bill for the relief of the trustees of the Methodist Episcop- al church in the town of Rockford,	-	-	-	185	418-9, 450	614
99	A bill for the relief of James D. Glass, deceased,	-	-	426	-	451	542
100	A bill to authorize the commissioners of Laporte county to settle with the sureties of William Hawkins,	-	-	182	-	628	
101	A bill to authorize the President of the Sinking Fund Com- missioners to execute patents and deeds in certain cases,	-	-	-	448	-	
103	A bill changing the mode of doing county business in the county of Orange,	-	-	185	537	590	
104	A bill to authorize the board of commissioners of Wash- ington county to issue orders for the payment of the amount subscribed by such county to the capital stock of the New Albany and Salem Railroad company,	-	-	182	628	628	
105	A bill for the relief of John Kroner,	-	-	-	231	561	563
106	A bill to change a certain state road therein named,	-	-	-	231	419	420
107	A bill to incorporate the Washington Fire Company, No. 2,	-	-	-	231	419	628
108	A bill to authorize the auditor of Harrison county to exe- cute a deed to Wm. R. Goldsmith of said county,	-	-	-	231	219	
109	A bill to repeal an act vacating Howard street in West Richmond,	-	-	-	231	628-9	
110	A bill to establish a male and female institute in city of Lawrenceburg, Dearborn county, Indiana,	-	-	-	426	200	449
111	A bill to incorporate the Fort Wayne Medical society,	-	-	-	199	219	629
114	A bill to incorporate the Franklin and White river turnpike company,	-	-	-	-	-	562
115	A bill to incorporate the Fort Wayne and Southern Rail- road Company,	-	-	-	419	419	420
116	A bill to incorporate the Winchester and Fort Wayne Rail- road Company,	-	-	-	-	448	448

## BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

Number.	TITLE.	Reported from Senate.	Proceedings before Passage.	Passed House.	Other proceedings.
117	A bill for the relief of Martin Fitzpatrick, -	-	418	419	
118	A bill for the benefit of the Ohio and Indianapolis Rail Road Company, and changing the name and style of said Company, -	-	421	422, 486	486 545
120	A bill to incorporate the Fort Wayne and Bluffton turnpike company, -	-	259	471 to 477	477 544
123	A bill to incorporate the Indiana Fire Marine Insurance Company, -	-	422		492
125	A bill to amend an act incorporating the Brookville and West Union turnpike company, -	-	220		629
126	A bill more effectually to prevent the retailing of spirituous liquors, in certain counties therein named, -	-	259		629 635
128	A bill to incorporate the Shelbyville arm of the Shelbyville and Edinburgh Lateral Branch Rail Road Company, -	-	259		589
129	A bill to incorporate the Lawrenceburg and Aurora bridge company, -	-	421		422
131	A bill to amend the charter of the Indianapolis and Bellfontaine Rail Road Company, -	-	259	573	574 624

133	A bill in relation to the election of a justice of the peace in Fairfield township, Tippecanoe county,	-	-	220	
134	A bill relative to the execution of decrees in chancery,	-	-	231	627
135	A bill to authorize the commissioners of Porter county to employ a physician for the poor,	-	-	220	629
136	A joint resolution in relation to certain official documents connected with the conduct of the 2d Indiana Regiment,	-	-	555	559
138	A bill to revive and consolidate the several acts of the General Assembly in relation to laying out, opening, repairing, changing, and vacating public highways, and the erection and repair of bridges and to amend the same,	-	-	548	549
139	A bill for the relief of William C. A. Bain of the county of Scott,	-	-	417	417
142	A bill amendatory of an act entitled, an act to incorporate the Lafayette and Danville Rail Road Company,	-	-	426	417
143	A bill to incorporate the Laurel and Blooming Grove turnpike company,	-	-	555	449
144	A bill to locate a State road in Jefferson and Ripley counties,	-	-	448	559
146	A bill to amend an act, entitled "An act to incorporate the town of Mooresville, in Morgan county," approved Feb. 12, 1841, so as to require vendors of spirituous liquors to obtain a license of the Board of Trustees,	-	-	448	420
147	A bill to change the names of the towns of Columbia and Smithland, and for other purposes,	-	-	419	420
148	A bill authorizing the county auditors of Laporte and St. Joseph to make deeds in certain cases,	-	-	420	420
149	A bill to authorize the erection of dams in the Wabash river and its tributaries above the Delphi dam,	-	-	616	605

## BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

## TITLE.

## Number.

## Other proceedings.

## Passed House.

## Proceedings before passage.

## Reported from Senate.

150	A bill for the relief of Robert Kennedy and Aaron Hartman,	420	420
151	A bill amending by an act incorporating the Junction Rail Road Company,	420	420
153	A bill to regulate the jurisdiction of justices of the peace in Jefferson and Rush counties,	420	421
155	A bill to change the name of John F. Brown to that of John Floyd,	420	421
157	A bill to amend section 38, of chapter 19, of the Revised Statutes of 1843, and for other purposes, so far as relates to the county of Lawrence,	423	423
158	A bill concerning the Lafayette and Indianapolis Railroad Company, -	423	488
160	A bill to incorporate the Indiana Council, No. 1, of the United American Mechanics, -	426	449
161	A bill respecting attorneys at law,	-	561
163	A bill for the relief of Charlotte Slaughter of the county of Morgan, -	-	555
166	A bill to amend an act to incorporate the Madison and Napoleon Turnpike Company,	-	559, 629
		-	445
		*	446
		*	542

168	A bill relative to prosecuting attorneys in the tenth judicial circuit,	-	-	-	-	-	618
169	A bill to amend the 30th chapter of article 8th of the Revised Statutes of 1843,	-	-	-	-	561	573
169	A bill to amend an act in relation to the sale of real estate by executors and administrators, approved Feb. 13, 1848,	-	-	-	-	621	
170	A bill to amend an act in relation to the New Albany and Vincennes Road,	-	-	-	-	445	
171	A bill to regulate the fees and emoluments of the auditors and treasurers of Lagrange and Steuben counties,	-	-	-	-	423	620
174	A bill to provide for the appointment of overseers of the poor in Gibson county,	-	-	-	-	423	
175	A bill to repeal an act therein named relating to St. Joseph county,	-	-	-	-	423	
176	A bill to amend an act, entitled "An act to provide for the construction of a Railway in Laporte county," approved Feb. 11, 1843,	-	-	-	-	426	
177	A bill to legalize certain proceedings in the Dearborn circuit court,	-	-	-	-	423	
178	A bill to reduce the expenses of the circuit court in the counties of Greene and Brown, and for other purposes,	-	-	-	-	423	
179	A bill relative to the practice in the probate courts,	-	-	-	-	423	
181	A bill to change the mode of selecting grand jurors in the county of Orange,	-	-	-	-	561	574
183	A bill to authorize the re-appraisement of certain school lands in Clinton county,	-	-	-	-	423	424
184	A bill to amend "An act for the relief of Victor A. Pepin, of Floyd county," approved Dec. 30, 1846,	-	-	-	-	448	

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

Number.	TITLE.	Reported from Senate.	Proceedings before Passage.	Passed House.	Other proceedings.
185	A bill for the relief of Rachel Loyd of Floyd county, -	-	448	448	
186	A bill supplementary to an act entitled, an act to incorporate the grand and subordinate divisions of the Sons of Temperance, -	-	426	449	
187	A bill to record the survey of a State road in Ripley county, -	-	448	448	448, 542
188	A bill to establish the salaries of the Auditor and Treasurer of Jay county, and Recorder of Steuben county, -	-	448	448	
189	A bill relative to canal scrip, -	-	561	448	
190	A bill to extend the time of holding probate court in the county of Monroe, -	-	448	448	
191	A bill to incorporate the Madison Iron Manufacturing Company, -	-	426	449	
192	A bill to amend an act entitled, an act to incorporate the Mooresville Branch Rail Road Company, -	-	445	446	542
193	A bill to amend an act entitled, an act to incorporate the city of Richmond, -	-	445	446	
194	A bill for the relief of Enoch Rinehart of Carroll county, -	-	445	446	
195	A bill to authorize the county Commissioners of Lake county to restrain hogs from running at large, -	-	426	632	
196				449	

197	A bill to repeal so much of an act entitled, an act to encourage the raising of sheep and hogs, and to increase the revenue of the State and the wealth of the people, as relates to Jasper county,	-	-	427
198	A bill declaring certain laws relative to roads and highways to be in force in Lawrence county,	-	-	426
199	A bill to incorporate the Williamsburg and Economy turnpike company,	-	-	426
200	A bill to amend an act incorporating the Logansport and Rochester Michigan Road Company,	-	-	426
201	A bill further to amend an act entitled, an act to incorporate the town of Columbus, Bartholomew county, Indiana, approved February 6, 1839,	-	-	426
202	A bill to dissolve the bonds of matrimony between Robert B. Hardesty and Ellen Hardesty,	-	-	426
203	A bill prescribing the practice in the circuit courts in cases of appeals from the award of appraisers appointed to assess damages to claimants for materials taken for, or land injured by the construction of the Wabash and Erie Canal,	-	-	426
204	A bill fixing the compensation and defining the duties of the Prosecuting Attorney of the county of Hancock,	-	-	426
205	A bill to incorporate the Madison and Cross Plains turnpike company,	-	-	426
206	A bill for the relief of George N. Waitt,	-	-	426
207	A bill relative to Rail Roads,	-	-	555
208	A bill for the relief of certain laborers on the Central Canal for work done in 1847-8,	-	-	426
				450

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

<i>Number.</i>	<i>TITLE.</i>	<i>Reported from Senate.</i>	<i>Proceedings before Passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
209	A bill to amend article one, of chapter thirty-five, of the Revised Statutes of 1843,	-	555	558	
212	A bill for the extension of Illinois street in the city of Indianapolis,	-	-	426	450
213	A bill amendatory of an act entitled, an act to establish a levee from the town of Vincennes through the lower prairie near the Wabash river, to Grand Coulee, approved 2d February, 1833,	-	-	-	
215	A bill to incorporate the Ohio, Indiana, and Lake Michigan Rail Road Company,	-	-	549	630
216	A bill to locate a State road in the counties of Jasper, White, and Tippecanoe,	-	-	555	553
217	A bill to suppress professional gamblers, and for other purposes,	-	-	-	549
219	A bill to amend the statute providing for taking a change of venue in criminal cases,	-	-	-	549
220	A bill to incorporate the Brookville and Milroy turnpike Co.	-	-	624	552
221	A bill to incorporate the Richmond and Middleboro turnpike company,	-	-	-	624
					549

222	A bill to amend the charter of the Jeffersonville Association, - - - - -	- - - - -	549
223	A bill to incorporate the Indianapolis and Danville Rail Road Company, - - - - -	- - - - -	552
226	A bill directing the Secretary of State to make patents to certain Michigan Road lands, - - - - -	- - - - -	554
H227 46	A bill declaratory of the meaning of a certain act therein named, - - - - -	- - - - -	619
228	A bill to unite the Mt. Carmel and New Albany, and Mt. Carmel and Alton Rail Road Company, by the name of the Alton, Mt. Carmel, and New Albany Rail Road Company, - - - - -	- - - - -	549
229	A bill to amend the act to incorporate the Ohio and Mississippi Rail Road Company, - - - - -	- - - - -	538
230	A bill to prevent the consolidation of indictments in certain cases, in Hamilton county, - - - - -	- - - - -	538
231	A bill to incorporate the Milan and Manchester turnpike company, - - - - -	- - - - -	539
232	A bill to incorporate the Northern Indiana Plank Road Company, - - - - -	- - - - -	549
233	A bill to change the time of the meeting of the General Assembly of this State, from the first Monday of December to the first Monday of January, - - - - -	- - - - -	549
234	A bill to incorporate the town of Wabash, - - - - -	- - - - -	549
235	A bill to incorporate the Ohio Insurance Company, - - - - -	- - - - -	552
236	A bill to establish an additional place of holding elections in the township of Delaware, Hamilton county, - - - - -	- - - - -	553
238	A bill to revive the law authorizing the assessment of a tax on real estate in the county of Morgan for road purposes, 616	549	552

BILLS AND JOINT RESOLUTIONS OF THE SENATE—*Continued.*

<i>Number.</i>	<i>Title.</i>	<i>Reported from Senate.</i>	<i>Proceedings before Passage.</i>	<i>Passed House.</i>	<i>Other Proceedings.</i>
239	A bill to incorporate the Wild Cat Bridge Company,	-	555	558	
240	A bill to incorporate the Indiana Mining Company,	-	553	554	
241	A bill to amend section 89, of article 7, of chapter 12, of the Revised Statutes of 1843,	-	553	554	
242	A bill relative to duties of prosecuting attorneys,	-	621	621	
243	A bill to amend an act entitled “an act to authorize the people of several townships of the several counties, to prohibit the retailing of spirituous liquors, so far as relates to the county of Wabash,	-	553	554	
244	A bill to authorize the county commissioners of Monroe county to make an additional allowance to the probate judge of said county,	-	-	605	
245	A joint resolution in relation to the Indianapolis and Peru railroad,	-	553	554	
246	A joint resolution relative to the Terre Haute draw bridge company,	-	-	630	
247	A joint resolution in relation to the improvements of the Kankakee and Iroquois rivers, in the States of Indiana and Illinois,	-	-	555	558

248	A joint resolution on the subject of Mary Griffith, an Indian woman, transferring her land,	-	-	-	555	557
249	A bill to authorize the county commissioners of Cass county to increase the highway tax in said county,	-	-	555	557	638
250	A bill to authorize merchants to vend clocks,	-	-	555	557, 630	
251	A bill to amend an act entitled "an act to incorporate the Fairview Academy, of Rush county,"	-	-	555	557	
252	A bill to amend an act entitled "an act to incorporate the Wayne Turnpike Company,"	-	-	555	557	
253	A bill defining the duty of the board of commissioners of the county of Monroe,	-	-	555	557	
254	A bill for the relief of Roswell Langdon, of Perry county,	-	-	555	557	
255	A bill to locate a State road in the counties of Fountain and Tippecanoe,	-	-	555	557	
256	A bill to amend an act entitled "an act to incorporate the Madison and Napoleon Turnpike Company,"	-	-	555	557	
257	A bill to authorize the transfer of cases pending in the probate to the circuit court,	-	-	555	557, 605	
258	A bill to increase the pay of the probate judges of certain counties therein named,	-	-	556	556	
259	A bill to improve the breed of horses in the county of Randolph,	-	-	556	556	
260	A bill to authorize Wilson T. Way, and Harriet Way, to file a bill in chancery in the Randolph circuit court,	-	-	556	556	
261	A bill on the subject of the Wabash and Erie Canal lands east and west of Tippecanoe, and for other purposes,	-	-	556	556	
262	A bill for the relief of Seth Bacon, deceased,	-	-	556	556	
263	A bill relative to a bridge over Deer creek, in Carroll county,	-	-	556	556	630

BILLS AND JOINT RESOLUTIONS OF THE SENATE.

<i>Number.</i>	<i>TITLE.</i>	<i>Proceedings before passage.</i>	<i>Passed House.</i>	<i>Other proceedings.</i>
267	A bill relative to the fees of the officers of Henry county,		596	597
268	A bill to change the name of Emanuel Wise to Emanuel Wise Stafford, - - -	- - -	564	564
269	A bill relative to the probate judge of Laporte county, -	-	561	597
270	A bill to amend an act entitled "an act to incorporate the town of Patriot, in Switzerland county," and to declare certain misprints in said act, - - -	- - -	561	597
271	A joint resolution relative to the soldiers of the late war with Great Britain, - - -	- - -	561	588
272	A bill for the relief of Robert B. Duncan, of Marion county, - - -	- - -	561	597, 599
273	A bill to authorize the sale of certain Sinking Fund lands, - - -	- - -	561	600
274	A bill to amend the estray laws, - - -	- - -	561	634
275	A bill to amend an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors, - - -	- - -	561	590
276	A bill to amend an act entitled "an act to incorporate the town of Bloomington, in the county of Monroe," approved 13th January, 1845, - - -	- - -	573, 639	640
				570

277	A bill for the relief of the heirs of Samuel Goldsberry, deceased,	-	-	-	-	-	561
278	A bill to incorporate the Waveland Academy of Montgomery county,	-	-	-	-	-	572
279	A bill to incorporate the Lagro, Marion, and Jonesboro' Plank Road company,	-	-	-	-	-	562
280	A bill allowing grace on bills of exchange,	-	-	-	-	-	572
281	A bill to amend an act entitled "an act to require certain Statutes to be published in some newspaper at Indianapolis, and for other purposes,"	-	-	-	-	-	640
282	A bill to incorporate the Grand and Subordinate Temples of Honor of the State of Indiana,	-	-	-	-	-	573
283	A bill to incorporate the Newburg Cotton Mill,	-	-	-	-	-	573
284	A bill to legalize certain roads in Jefferson county,	-	-	-	-	-	573
285	A bill fixing the time of holding the February and August terms of the probate courts,	-	-	-	-	-	573
286	A joint resolution relative to the scrip account between the State of Indiana and the trustees of the Wabash and Erie Canal,	-	-	-	-	-	633
287	A bill authorizing the trustees of school district No. 13, in township 36, north of range 3 west, in LaPorte county, to levy a tax to build a school house,	-	-	-	-	-	598
288	A bill in relation to a school house in Dearborn county,	-	-	-	-	-	598
289	A joint resolution authorizing the Governor or Agent of State to make a sale of all or any real estate owned by the State of Indiana in the State of Georgia,	-	-	-	-	-	562
291	A bill confirming the location of a State road leading from Logansport, in Cass county, to Kokomo, in Howard county,	-	-	-	-	-	618

## BORDEN, JAMES W.

Elected Judge of the 12th Judicial Circuit, - - - - - 15

## BRADY, HENRY

Appeared and was qualified,	- - - - -	4
Petitions presented by,	64, 84, 107, 139, 275, 299, 454	
Reports made by,	- - - - - 12, 234, 244-5, 645	
Resolutions offered by,	- - - - - 9, 17, 49, 97-8, 148, 533	
Bills and joint Resolution introduced by,	- - - - - 51, 161, 283, 384	
Motions made by,	34, 45, 46, 53, 80, 84, 107, 139, 189, 206, 201, 205, 217, 234, 286, 292, 299, 325, 363, 383, 387, 392, 396, 429, 453, 463, 524, 530, 565, 595}	
Leave granted to withdraw a petition,	- - - - -	651

## BRYANT, JAMES R. M.

Appeared and was qualified,	- - - - -	5
Petitions presented by,	- - - - -	172, 372
Reports made by,	- - 154-5, 230, 376-7, 466, 505 592, 621-2	
Resolutions offered by,	- - - - -	98, 613
Bills introduced by,	- - - - -	36, 66, 90, 639
Motions made by,	68, 81, 89, 230, 249, 316, 319, 354, 359, 368, 388, 393, 440, 451, 557, 589, 592, 615	

## BUNDY, MARTIN L.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - 94, 193, 239, 288, 341, 444	
Reports made by,	- - - - - 111, 278, 407, 409	
Resolutions offered by,	- - - - - 78, 159, 282, 337	
Bills and joint resolution introduced by,	- - - - - 51, 79, 99, 114	
Motions made by,	37, 81, 105, 115, 116, 129, 149, 193, 237, 352, 353, 359, 429, 431, 432, 434, 438, 444, 507, 532	
Leave of absence granted to,	- - - - -	485

## BUSKIRK, SAMUEL H.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - - 52, 109, 239, 371, 372	
Reports made by,	- - - - - 144-5, 351, 410, 412, 413, 508	
Resolutions offered by,	- - - - -	147-8
Bills and joint resolution introduced by,	161-2, 238, 261, 285, 413, 471, 613-14, 633	

Motions made by,	16, 34, 57, 105, 115, 120, 171, 260, 272, 318, 320, 346, 347, 393, 412, 416, 426, 429, 432, 438, 440, 478, 497, 538, 548, 554, 556, 558, 567, 573, 591, 595, 596, 614, 638
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Leave of absence granted to,	- - - - -	178
Leave granted to withdraw a petition,	- - - - -	426

## C

## CALDWELL, JAMES G.

Appeared and was qualified,	- - - - -	3
Petition presented by,	- - - - -	547
Report made by,	- - - - -	335
Bill introduced by,	- - - - -	412
Motions made by,	- - - - -	336, 421-2, 547

## CALLS OF THE HOUSE.

Ordered,	46, 49, 140, 242, 293, 316, 360, 393, 496, 567, 594, 595
Names of absentees entered on the Journal,	- - - - - 652

## CAMPBELL, JOHN B.

Appeared and was qualified,	- - - - -	4
Petition presented by,	- - - - -	120
Report made by,	- - - - -	176
Bills introduced by,	- - - - -	180, 282
Motions made by,	- - - - -	38, 254
Leave of absence granted to,	- - - - -	392

## CARR, ANDREW J.

Appointed bearer of Executive Communications,	- - - - -	13
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## CARR, GEORGE W.

Appeared and was qualified,	- - - - -	4
Elected Speaker,	- - - - -	5
Report made by,	- - - - -	341
Bill introduced by,	- - - - -	349
Motions made by,	- - - - -	432, 529, 539, 594, 645

[For other official acts, see under the head of "SPEAKER."]

## BORDEN, JAMES W.

Elected Judge of the 12th Judicial Circuit, - - - - - 15

## BRADY, HENRY

Appeared and was qualified,	- - - - -	4
Petitions presented by,	64, 84, 107, 139, 275, 299, 454	
Reports made by,	- - - - -	12, 234, 244-5, 645
Resolutions offered by,	- - - - -	9, 17, 49, 97-8, 148, 533
Bills and joint Resolution introduced by,	- - - - -	51, 161, 283, 384
Motions made by,	34, 45, 46, 53, 80, 84, 107, 139, 189, 206, 201, 205, 217, 234, 286, 292, 299, 325, 363, 383, 387, 392, 396, 429, 453, 463, 524, 530, 565, 595	
Leave granted to withdraw a petition,	- - - - -	651

## BRYANT, JAMES R. M.

Appeared and was qualified,	- - - - -	5
Petitions presented by,	- - - - -	172, 372
Reports made by,	- - 154-5, 230, 376-7, 466, 505 592, 621-2	
Resolutions offered by,	- - - - -	98, 613
Bills introduced by,	- - - - -	36, 66, 90, 639
Motions made by,	68, 81, 89, 230, 249, 316, 319, 354, 359, 368, 388, 393, 440, 451, 557, 589, 592, 615	

## BUNDY, MARTIN L.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - 94, 193, 239, 288, 341, 444	
Reports made by,	- - - - -	111, 278, 407, 409
Resolutions offered by,	- - - - -	78, 159, 282, 337
Bills and joint resolution introduced by,	- - - - -	51, 79, 99, 114
Motions made by,	37, 81, 105, 115, 116, 129, 149, 193, 237, 352, 353, 359, 429, 431, 432, 434, 438, 444, 507, 532	
Leave of absence granted to,	- - - - -	485

## BUSKIRK, SAMUEL H.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	52, 109, 239, 371, 372
Reports made by,	- - - - -	144-5, 351, 410, 412, 413, 508
Resolutions offered by,	- - - - -	147-8
Bills and joint resolution introduced by,	161-2, 238, 261, 285, 413, 471, 613-14, 633	

Motions made by,	16, 34, 57, 105, 115, 120, 171, 260, 272, 318, } 320, 346, 347, 393, 412, 416, 426, 429, 432, } 438, 440, 478, 497, 538, 548, 554, 556, 558, } 567, 573, 591, 595, 596, 614, 638 }
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Leave of absence granted to,	- - - - -	178
Leave granted to withdraw a petition,	- - - - -	426

## C

## CALDWELL, JAMES G.

Appeared and was qualified,	- - - - -	3
Petition presented by,	- - - - -	547
Report made by,	- - - - -	335
Bill introduced by,	- - - - -	412
Motions made by,	- - - - -	336, 421-2, 547

## CALLS OF THE HOUSE.

Ordered,	46, 49, 140, 242, 293, 316, 360, 393, 496, 567, 594, 595
Names of absentees entered on the Journal,	- - - - - 652

## CAMPBELL, JOHN B.

Appeared and was qualified,	- - - - -	4
Petition presented by,	- - - - -	120
Report made by,	- - - - -	176
Bills introduced by,	- - - - -	180, 282
Motions made by,	- - - - -	38, 254
Leave of absence granted to,	- - - - -	392

## CARR, ANDREW J.

Appointed bearer of Executive Communications,	- - - - -	13
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## CARR, GEORGE W.

Appeared and was qualified,	- - - - -	4
Elected Speaker,	- - - - -	5
Report made by,	- - - - -	341
Bill introduced by,	- - - - -	349
Motions made by,	- - - - -	432, 529, 539, 594, 645

[For other official acts, see under the head of "SPEAKER."]

## CARR, JOHN F.

Elected Bank Director,	- - - - -	41
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## CASSELBERRY, HAMILTON S.

Appeared and was qualified,	- - - - -	5
Petitions presented by,	- - - - -	88, 601
Reports made by,	117, 119, 126, 181, 189, 216, 238, 291, 309, 310, 339, 367, 444, 489, 490, 546, 606, 607, 608	
Bills introduced by,	- - - - -	40, 284, 350
Motions made by,	- - - - -	88, 348, 351, 393, 445

## CHAMBERS, ABRAM

Appeared and was qualified,	- - - - -	5
Petition presented by,	- - - - -	120
Bill introduced by,	- - - - -	161
Motions made by,	- - - - -	359, 507

## CLERKS.

John W. Dodd elected Principal Clerk,	- - - - -	6
Isaac Smith elected Assistant Clerk,	- - - - -	7
Resolution of the House authorizing the clerks to employ assistants,	- - - - -	77
Resolution tendering a vote of thanks to the Clerks of the House,	- - - - -	610

## COCKRUM, JAMES W.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	354, 275, 454
Reports made by,	- - - - -	333, 334-5
Motion made by,	- - - - -	346
Leave of absence granted to,	- - - - -	125

## COMMITTEE OF FREE CONFERENCE.

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## COMMONS DAVID

Appeared and was qualified,	-	-	-	-	-	-	5
Bills introduced by,	-	-	-	-	-	-	284, 350
Leave of absence granted to,	-	-	-	-	-	-	369

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## COTTON, ROBERT G.

Appeared and was qualified,	- - - - -	5
Petitions presented by,	- - - - -	58, 254, 321
Reports made by,	- - - - -	334, 344
Resolution offered by,	- - - - -	113
Bills introduced by,	- - - - -	180, 385
Motion made by,	- - - - -	348
Added to the committee on Benevolent and Scentific Institutions,	- - - - -	253
Leave of absence granted to,	- - - - -	140, 242, 387

## COX, ROBERT S.

Appeared and was qualified,	- - - - -	5
Petitions presented by,	- - - - -	52, 239
Reports made by,	- - - - -	286, 305
Bills introduced by,	- - - - -	79, 198, 341
Motions made by,	- - - - -	16, 52, 286, 359, 360, 386, 527
Leave of absence granted to,	- - - - -	189

## CRAVENS, JAMES A.

Appeared and was qualified,	- - - - -	5
Motions made by,	- - - - -	71, 189, 335, 336, 359, 431, 506
Added to the committee on enrolled bills,	- - - - -	445

## D

## DAWSON, REUBEN J.

Appeared and was qualified,	- - - - -	41
Petitions presented by,	- - - - -	59, 371, 396, 456
Reports made by,	76, 135, 152-3, 262, 306, 307, 403, 411, 485, 503	
Resolution offered by,	- - - - -	159
Bill introduced by,	- - - - -	33
Motions made by,	- - - - -	14, 163, 236, 423

## DECKER, SAMUEL

Appeared and was qualified	- - - - -	3
Petition presented by,	- - - - -	601
Bills introduced by,	- - - - -	284, 341, 385
Motions made by,	- - - - -	207, 346

## DOBSON, DAVID M.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	47, 84, 192, 626
Reports made by,	14, 123, 155, 156, 175, 176, 234, 307, 308, 328	
		379, 387, 479, 480, 481
Resolutions offered by,	- - - - -	9, 12, 57, 73, 84, 147
Bills and joint resolution introduced by,	- - - - -	49, 84, 197, 283
Motions made by,	14, 16, 32, 39, 47, 53, 58, 60, 66, 68, 75, 81, 92, 93	
	108, 123, 127, 143, 165, 183, 185, 192, 197, 306	
	314, 317, 346, 357, 363, 378, 419, 424, 443, 451	
	470, 524, 536, 538, 588, 618, 628, 633	

## DODD, JOHN W.

Elected principal clerk,	- - - - -	6
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## DONNOHUE, DILLARD C.

Appeared and was qualified,	- - - - -	5
Petitions presented by,	- - - - -	193, 322, 369
Reports made by,	- - - - -	498, 504
Motions made by,	- - - - -	369, 563

DOUGHERTY LORENZO C. (*of Boone*)

Appeared and was qualified,	- - - - -	3
Petition presented by,	- - - - -	59
Reports made by,	- - - - -	76, 405
Bills introduced by,	- - - - -	99, 160, 384
Motions made by,	69, 209, 224, 327, 367, 528, 558, 646	

DOUGHERTY, OLIVER R. (*of Morgan*)

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	74, 211
Reports made by,	- - - - 97, 110, 267, 278, 312, 488	
Resolutions offered by,	- - - - -	35, 36
Bills introduced by,	- - - - -	590, 601
Motions made by,	47, 71, 82, 100, 201, 298, 442, 446, 497, 559, 562	
	590, 596, 633, 639, 640, 646	

## DOWLING, THOMAS

Appeared and was qualified,	- - - - -	5
Reports made by,	- 173, 195-6-7, 213, 380, 405-6-7, 482, 483	
Resolutions offered by,	- 53, 112, 113, 123-4, 138-9, 562, 622	
Bill introduced by,	- - - - -	285
Motions made by,	56, 73, 86, 100, 141-2, 203, 232, 348, 351, 422	
	430, 445, 447, 451, 467, 492, 506, 507, 562	
	566, 567	

## DOYLE, JOHN

Appeared and was qualified,	- - - - -	6
Petition presented by,	- - - - -	86
Reports made by,	- - - - -	277
Motion made by,	- - - - -	220

## DRAKE, JAMES P.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	212, 276, 373, 376, 454
Reports made by,	- - - - -	118, 466-7, 485, 498, 639
Bills introduced by,	- - - - -	79, 162, 198, 285, 349
Resolution offered by,	- - - - -	148, 217-18
Motions made by,	- - - - 39, 69, 86, 92, 160, 163, 186	
	201, 227, 249, 252, 286, 346, 373, 388, 405, 422, 439, 450,	
	454, 529, 536, 559, 599, 609, 615, 618, 633	

## DUNN, WILLIAM M.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	52, 300, 301, 370
Reports made by,	111, 133-4, 152, 172-3, 240, 241, 289, 346-7, {	375, 376, 463-4, 464, 465, 634 }
Resolution offered by,	- - - - -	282
Bills and joint resolutions introduced by,	33, 36, 84, 283, 349-50, {	385 }
Motions made by,	33, 57, 68, 91, 93, 115, 127, 152, 164, 166, 209, {	222, 230, 236, 257-8, 340, 346, 364, 366, 428, 429, 446, 451, {
		559, 566, 572, 621, 627 }
Added to the committee on education,	- - - - -	53
Remarks on the death of Hon. Samuel Goodenow,	- - - - -	138

## DUVALL, SAMUEL A.

Appeared and was qualified,	- - - - -	5
Petitions presented by,	- - - - -	373, 526
Resolutions offered by,	- - - - -	10, 11, 65
Bills and joint resolutions introduced by	- - - - -	36, 412, 560, 633
Motions made by,	15, 36, 37, 38, 39, 42, 79, 82, 177, 236, 346, 378, {	390, 440, 445, 487, 569, 594, 609, 629, 645 }
Added to the committee on enrolled bills,	- - - - -	623
Leave of absence granted to,	- - - - -	105, 134

## E

## EDMONSTON, BENJAMIN R.

Appeared and was qualified,	- - - - -	4
Reports made by,	88, 110, 136, 173-4, 174, 291, 213-14, 264, 264, {	265, 308-9, 380-81, 382, 486, 487 }
Resolutions offered by,	- - - - -	9, 53, 54, 59, 294
Bills and joint resolutions introduced by,	- - - - -	35, 107, 348
Motions made by,	7, 10, 16, 31, 33, 34, 35, 38, 47, 48, 49, {	50, 52, 53, 56, 68, 73, 85, 89, 92, 95, 100, 101, 105, 109, {
		113, 114, 115, 122, 129, 140, 142, 143, 158, 164, 179, 192, {
		204, 208, 209, 217, 230, 231, 243, 247, 249, 250, 251, 252, {
		255, 258, 261, 262, 268, 273, 291, 293, 294, 296, 315, 316, {
		318, 320, 329, 343, 347, 348, 357, 358, 359, 365, 366, 368, {
		379, 402, 417, 425, 427, 430, 433, 435, 468, 478, 506, 550, {
		552, 574, 588 }
Obtained leave for the extension of further time to report,	-	78
Added to the select committee on House bill No. 61,	- - -	246

## EDWARDS, WILLIAM K.

Appeared and was qualified,	- - - - -	5
Reports made by,	- - - - -	111, 265, 311-12, 382, 609
Resolutions offered by,	- - - - -	34, 51, 146-7, 178-9, 568
Bills introduced by,	- - - - -	90, 283, 298, 349
Motions made by,	54, 68, 115, 160, 163, 186, 198, 249, 251, 256, 258, 283, 293, 325, 393, 623, 627, 633	}

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Of Assistant Clerk,	- - - - -	7
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## F

## FRAZER, JAMES S.

Appeared and was qualified,	- - - - -	4
Petition presented by,	- - - - -	395
Reports made by,	- - - - -	156, 240, 351-2, 487-8
Resolutions offered by,	- - - - -	282, 387
Bills and joint resolution introduced by,	- - - - -	48, 90, 238, 630
Motions made by,	68, 82, 115, 139, 156, 192, 204, 205, 227, 234, 282, 316-17, 348, 419, 428, 429, 430, 431, 434, 468, 541, 549, 618, 629	}

## FORD, JOHN L.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	64, 227, 287
Reports made by,	112, 137, 151, 215, 216, 236, 269, 270, 302-3-4 333-4, 455	{
Resolutions offered by,	- - - - -	10, 12, 14, 77, 97, 113
Bills introduced by,	- - - - -	66, 114, 161, 180, 385

Motions made by,	38, 80, 114, 227, 252, 422, 432, 451, 484, 494, } 507, 509, 527, 529, 537, 539, 547, 550, 614, 647 }	
Added to the select committee on House bill No. 61,	- - - - -	246
Added to the committee on Benevolent and Scientific Institutions,	- - - - -	253

## FORD, LEMUEL

Elected Warden of the State Prison,	- - - - -	55-6
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## G

## GESSIE, ROBERT J.

Appeared and was qualified,	- - - - -	5
Petitions presented by,	- - - - -	127, 172, 371
Report made by,	- - - - -	145
Bills introduced by,	- - - - -	160, 342, 384
Motions made by,	- - - - -	200, 371

## GILLUM, JOHN W.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	109, 227, 299, 453
Reports made by,	- - - - -	145, 272, 330
Resolutions offered by,	- - - - -	89, 113
Motions made by,	- - - - -	227, 453, 537, 557, 590, 623
Leave of absence granted to,	- - - - -	123

## GOLDSBERRY, PETER

Appeared and was qualified,	- - - - -	6
Motions made by,	- - - - -	163, 429

## GOODWIN, BENJAMIN

Appeared and was qualified,	- - - - -	4
Petition presented by,	- - - - -	109
Resolutions offered by,	- - - - -	146, 281
Bills introduced by,	- - - - -	79, 161, 180, 284, 350, 387, 557
Motions made by,	- - - - -	202, 207, 331, 536, 629

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## GOVERNOR (DUNNING.)

Communication from,	-	-	-	-	-	-	-	487-8
[See messages from the Governor.]								

## GRAHAM, JOHN W.

Appeared and was qualified,	-	-	-	-	-	-	-	5
Petition presented by,	-	-	-	-	-	-	-	193
Bill introduced by,	-	-	-	-	-	-	-	341
Motions made by,	-	-	-	-	-	-	-	100, 193
Leave of absence granted to,	-	-	-	-	-	-	-	134

## H

## HAMMOND, ABRAM A.

Elected Judge of the Marion Court of Common Pleas,	-	-	311
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## HANKINS, THOMAS D.

Appeared and was qualified,	-	-	-	-	-	-	-	4
Petitions presented by,	-	-	-	-	-	-	-	109, 276, 395
Report made by,	-	-	-	-	-	-	-	112
Resolution offered by,	-	-	-	-	-	-	-	78
Bills introduced by,	-	-	-	-	-	-	-	99, 350
Motions made by,	-	-	-	-	-	-	-	185, 237, 356
Leave of absence granted to,	-	-	-	-	-	-	-	134

## HARLAN, ANDREW J.

Appeared and was qualified,	-	-	-	-	-	-	-	4
Petitions presented by,	-	-	-	-	-	-	-	109, 193-4, 373, 456
Reports made by,	101-2, 189-90, 254, 255, 280, 295, 304-5, 478,{							510 to 524, 539, 600, 601}

Resolutions offered by,	-	-	-	13, 15, 86, 98, 148, 469-70, 651
Bills introduced by,	-	-	-	16, 285, 286, 478, 492
Motions made by,	5, 12, 14, 32, 33, 46, 49, 61, 71-2, 81, 87, 97,			
	130, 163, 291, 294, 295, 346, 361, 386, 509,			
	526, 540, 557, 594, 595, 648, 652			

### HENDRICKS, THOS. A.

Appeared and was qualified,	-	-	-	-	-	5
Petitions presented by,	-	-	-	-	52, 322, 372, 395	
Reports made by,	-	-	136-7, 234, 312-13-14, 323, 471			
Resolution offered by,	-	-	-	-	-	46
Bills introduced by,	-	-	-	-	99, 162, 385, 412	
Motions made by,	52, 60, 80, 91, 104, 115, 248, 312, 322, 323,					
	326, 342, 348, 360, 435, 478, 524, 527, 528,					
	530, 533, 540					
Added to the select committee on House bill No. 61,	-	-	-	-	-	246
Leave of absence granted to,	-	-	-	-	-	134

### HICKS, GILDEROY

Appeared and was qualified,	-	-	-	-	-	4
Petitions presented by,	-	-	-	-	74, 396, 454	
Reports made by,	-	-	145, 157, 212, 498, 499, 500			
Resolution offered by,	-	-	-	-	-	54
Bills introduced by,	-	-	-	-	99, 284, 249, 350	
Added to the select committee on House bill No. 61,	-	-	-	-	-	315
Motions made by,	-	-	232, 278, 320, 426, 431, 454, 562			

### HILL, JAMES

Appeared and was qualified,	-	-	-	-	-	4
Petitions presented by,	-	-	-	-	321, 369, 396, 455	
Reports made by,	-	-	-	-	-	233, 504
Pesolution offered by,	-	-	-	-	-	65
Bill introduced by,	-	-	-	-	-	295
Motions made by,	93, 100, 163, 218, 233, 242, 243, 272, 295, 319,					
	321, 355, 359, 364, 388					

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Report of the Commissioners of,	-	-	-	-	-	93
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## HOWELL, GEORGE S.

Appeared and was qualified,	-	-	-	-	-	-	3
Petitions presented by,	-	-	-	-	-	-	58, 172
Reports made by,	-	-	-	-	-	-	144, 237
Motions made by,	-	-	-	-	-	-	82, 100, 345

## HUCKLEBERRY, JOHN C.

Appeared and was qualified,	-	-	-	-	-	-	3
Petitions presented by,	-	-	-	-	-	-	150, 287, 288, 547
Reports made by,	-	-	-	-	-	-	377-8
Resolutions offered by,	-	-	-	-	-	-	10, 147, 160, 217
Bills and joint resolution introduced by,	-	-	-	-	-	-	79, 98, 180, 349
Motions made by,	-	-	-	80, 148, 207, 349, 353, 378, 547			

## HUDDLESTON, JOHN M.

Appeared and was qualified,	-	-	-	-	-	-	5
Petitions presented by,	-	-	-	-	-	-	395, 453
Reports made by,	-	-	-	-	-	-	409
Resolution offered by,	-	-	-	-	-	-	66
Bill introduced by,	-	-	-	-	-	-	349
Motions made by,	-	-	-	47, 131, 163, 257, 349, 447, 507, 537			

## HUGHES, ROLAND

Appeared and was qualified,	-	-	-	-	-	-	3
Petition presented by,	-	-	-	-	-	-	275
Report made by,	-	-	-	-	-	-	330
Resolutions offered by,	-	-	-	-	-	-	48, 146
Joint resolution introduced by,	-	-	-	-	-	-	238
Bill introduced by,	-	-	-	-	-	-	384
Motions made by,	-	-	-	115, 163, 211, 275, 330, 346, 426			
Leave of absence granted to,	-	-	-	-	-	-	485

## HUNT, FRANKLIN W.

Appeared and was qualified,	-	-	-	-	-	-	4
Petition presented by,	-	-	-	-	-	-	372
Reports made by,	-	-	-	-	-	-	174, 194, 235-6, 551
Bills introduced by,	-	-	-	-	-	-	284, 613
Motions made by,	-	-	16, 86, 236, 253, 315, 373, 440, 445, 506				
Leave of absence granted to,	-	-	-	-	-	-	134

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## J

## JACKMAN, HENRY

Appeared and was qualified, - - - - -	211-12
Bills introduced by, - - - - -	162, 284, 412
Motions made by, - - - - -	212, 359, 640
Leave of absence granted to, - - - - -	189

## JAMES, NATHANIEL J.

Appeared and was qualified, - - - - -	5
Petition presented by, - - - - -	58
Motions made by, - - - - -	164-5, 507

JOHNSON, JOHN D. (*of Dearborn.*)

Appeared and was qualified, - - - - -	4
Reports made by, - - - - -	191, 213, 482, 493
Resolution offered by, - - - - -	66
Bills introduced by, - - - - -	80, 198
Motions made by, - - - - -	33, 408, 535
Leave of absence granted to, - - - - -	140

JOHNSTON, ARCHIBALD (*of Putnam.*)

Appeared and was qualified,	-	-	-	-	-	-	5
Petitions presented by,	-	-	-	-	52, 126, 194, 321, 322		
Reports made by,	-	-	-	-	75-6, 174-5, 343, 386		
Resolutions offered by,	-	-	-	-	-	53, 479	
Bill introduced by,	-	-	-	-	-	-	67
Motions made by,	81, 126, 214, 215, 250, 296, 322, 417, 510, 540,)						
					547, 553, 561, 566, 602, 645.)		
Leave granted to withdraw a petition,	-	-	-	-	-	-	651
Leave of absence granted to,	-	-	-	-	-	-	189

## JOHNSON, SAMUEL J.

Elected Door Keeper,	-	-	-	-	-	-	9
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JONES, CHARLES (*of Bartholomew.*)

Appeared and was qualified,	-	-	-	-	-	-	3
Petitions presented by,	-	-	-	-	-	276, 372, 455	
Reports made by,	-	-	-	-	-	-	405
Bill introduced by,	-	-	-	-	-	-	161
Motions made by,	-	-	-	-	-	276, 413, 441, 450	
Added to the committee on House bill No. 61,	-	-	-	-	-	-	315
Leave of absence granted to,	-	-	-	-	-	-	189

JONES, SAMUEL (*of Huntington.*)

Appeared and was qualified,	-	-	-	-	-	-	4
Petition presented by,	-	-	-	-	-	-	239
Bills introduced by,	-	-	-	-	-	-	51, 284
Motions made by,	-	-	-	-	-	-	250, 506

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## JULIAN, JACOB B.

Appeared and was qualified,	-	-	-	-	-	-	5
Petitions presented by,	-	-	-	-	-	-	299, 455
Reports made by,	134, 153, 154, 255, 256, 288, 289, 323-4, 463, 497						
Resolutions offered by,	-	-	-	-	-	-	36, 47, 51

Bills and joint resolutions introduced by,	11, 16, 66, 108, 161,	5
	162, 285, 350	
Motions made by,	14, 67, 108, 124, 153, 177, 237, 317, 318, 340,	
	350, 387, 402, 433, 434, 440, 483	
Leave of absence granted to,	- - - - -	369

**K****KELLEY, RICHARD**

Appeared and was qualified,	- - - - -	5
Petitions presented by,	- - - - -	287, 300, 370, 395
Motions made by,	- - - - -	237, 346, 359, 507

**KELSO, DANIEL**

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	75, 193, 194, 211, 338, 370
Reports made by,	107, 121, 122, 132, 133, 173, 228, 242, 347,	
	397 to 402, 407, 408, 443-4, 570 to 572, 599	
Resolutions offered by,	53, 64-5, 86, 98, 153, 252, 411, 501-2, 509, 616	
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	592, 615, 618, 619, 621, 629, 630, 638, 640, 646	

**LINE, AARON B.**

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	64, 150, 311
Reports made by,	- - - - -	77, 112, 155, 158, 279-80, 292, 316, 383
Resolutions offered by,	- - - - -	37, 160, 178, 179, 281-2
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Motions made by,	7, 33, 34, 38, 56, 61, 63, 68, 69, 77, 80, 86, 93,	
	107, 140, 146, 202, 209, 218, 219, 221, 234, 242, 253, 276,	
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	429, 438, 483, 484, 524, 540, 557, 559, 595, 598, 623, 633	
Added to the committee on enrolled bills,	- - - - -	623

## LOZIER, GEORGE M.

Appeared and was qualified,	-	-	-	-	-	-	-	7
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Report made by,	-	-	-	-	-	-	-	410
Resolution offered by,	-	-	-	-	-	-	-	173
Bills and joint resolution introduced by,	-	-	-	-	-	-	67, 90, 283	
Motions made by,	-	-	-	-	-	-	228, 533	
Leave of absence granted to,	-	-	-	-	-	-	-	456

## MADDOX, FIN. L.

Appeared and was qualified,	-	-	-	-	-	-	-	4
Petitions presented by,	-	-	-	-	-	-	302, 453-4	
Reports made by,	-	-	-	-	-	-	135, 263, 466	
Resolution offered by,	-	-	-	-	-	-	-	282
Bills introduced by,	-	-	-	-	-	-	114, 161, 162	
Motions made by,	163, 186, 204, 259, 319, 346, 389, 429, 431,							
							435, 557, 536, 541, 548, 563, 596, 646)	
Added to committee on enrolled bills,	-	-	-	-	-	-	-	623

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## MEACHAM, JOHN J.

Appeared and was qualified,	-	-	-	-	-	-	-	5
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Motions made by,	-	-	-	-	-	-	150, 253	

## MEREDITH, SOLOMON

Appeared and was qualified,	-	-	-	-	-	-	-	5
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Petitions presented by, - - - - -	64, 75, 94, 300, 373, 610
Reports made by, - - - - -	194-5, 231, 260-61, 325, 626-7
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Approving bills of the House of last session No. 146, an act to charter the Indiana Canal Company, and No. 471, an act to incorporate the Henry county turnpike company, - - - - -	27 to 28
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### MILLER, WILLIAM

Appeared and was qualified,	- - - - -	5
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Reports made by,	- - - - -	312, 340
Resolutions offered by,	- - - - -	59, 84-5, 347
Bills introduced by,	- - - - -	55, 99, 284, 299
Motions made by,	34, 36, 37, 49, 73, 75, 79, 86, 114, 163, 237, 298, 340, 344, 359, 393, 509, 526, 527, 563}	
Added to the committee on enrolled bills,	- - - - -	623
Leave of absence granted to,	- - - - -	492

### MILLS, FELIX

Appeared and was qualified,	- - - - -	5
Motions made by,	- - - - -	68, 207, 507
Added to the committee on enrolled bills,	- - - - -	445

### MORGAN, JAMES

Appeared and was qualified,	- - - - -	40
Petition presented by,	- - - - -	120
Report made by,	- - - - -	137
Resolutions offered by,	- - - - -	64, 159, 308
Bills introduced by,	- - - - -	79, 283
Motions made by,	52, 82, 99, 164, 168, 185, 200, 202, 203, 206, 208, 220, 221, 250, 357, 426, 428, 491, 534, 550, 556, 557, 594, 602}	

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NICHOLSON, DAVID D.

Appeared and was qualified, - - - - - 4  
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ODELL, JAMES

Appeared and was qualified,	-	-	-	-	-	-	3
Petitions presented by,	-	-	-	-	-	287, 288, 302	
Resolutions offered by,	-	-	-	-	-	54, 113, 281, 347	
Bills introduced by,	-	-	-	-	-	51, 162, 285, 599, 614	
Motions made by,	-	163, 224, 287, 288, 294, 302, 429, 464, 638					

ORR, SAMUEL

Appeared and was qualified,	-	-	-	-	-	-	4
Petition presented by,	-	-	-	-	-	-	240
Reports made by,	-	-	-	-	176-7, 307, 492-3, 508		
Resolutions offered by,	-	-	-	-	-	-	9, 147, 347
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Motions made by,	69, 84, 153, 177, 237-8, 270, 271, 324, 341, 352				432, 493, 530, 552, 566		}
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OSBORN, SILAS

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PARKER, CHRISTIAN (*of Allen*)

Appeared and was qualified, - - - - - 3  
Petitions presented by, - - - - - 189,370

Reports made by,	- - - - -	- - - - -	190-91, 500
Bills introduced by,	- - - - -	- - - - -	99, 197
Motions made by,	115, 189, 198, 236, 358, 368, 429, 449, 471 to 477		

PARKER, PATTERSON C. (*of Brown*)

Appeared and was qualified,	- - - - -	- - - - -	3
Reports made by,	- - - - -	- - - - -	333, 496-7
Bill introduced by,	- - - - -	- - - - -	298
Motions made by,	100, 168, 321, 346, 359, 447, 541, 552, 597		
Leave of absence granted to,	- - - - -	- - - - -	178

PIERCE, LOVINEUS

Appeared and was qualified,	- - - - -	- - - - -	4
Petitions presented by,	- - - - -	- - - - -	302, 323
Reports made by,	- - - - -	- - - - -	272, 329-30
Bill introduced by,	- - - - -	- - - - -	162
Motions made by,	- - - - -	- - - - -	329, 436, 452
Leave of absence granted to,	- - - - -	- - - - -	567

PLACE, WILLARD A.

Appeared and was qualified,	- - - - -	- - - - -	4
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Motions made by,	- - - - -	- - - - -	237, 359
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To appoint a committee to wait on the Governor,	Dobson,	9
To open the session by prayer,	Brady,	9
Relative to electing a Chaplain for the House,	Orr,	9
To furnish the members with the acts and documentary journal of 1847,	Ford,	10
Adopting the standing rules of the House,	Huckleberry,	10
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*Adopted.*

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*Introduced.*

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Relative to repealing section 42, article 6, of chapter 4, of the R. S. of 1843, . . . . .	160	Huckleberry,	
To adjourn <i>sine die</i> on the 15th day of January, . . . . .	178	Lozier,	
To place the remarks of Mr. Dunn, in relation to the death of Mr. Goodenow, on the journal of the House, . . . . .	178	Line,	178
Relative to changing the probate laws, . . . . .	178	Withers,	
Relative to the special order for the 25th of December, . . . . .	178	Edwards,	179
Concerning exhibitions of the pupils of the deaf and dumb and blind asylums, . . . . .	179	Line,	179
Relative to jurisdiction of justices of the peace, . . . . .	179	Vance,	180
Calling on the Governor for information relative to deduction from the pay of volunteers, . . . . .	216	Blakemore,	
Relative to the bonds of matrimony between Indiana and the internal improvement system, . . . . .	217	Wood,	

RESOLUTIONS—*Continued.*

## SUBJECT MATTER OF.

<i>Introduced.</i>	<i>Mover's Name.</i>	<i>Adopted.</i>
Calling on the State Printer for printed report of the Warden of the State Prison,	Mr. Huckleberry,	217
Calling on the Auditor of State for reasons for failing to repair the building on	Drake,	217
the Governor's Circle,	Vance,	217
Relative to the title of Governor Dunning,	Kelso,	219
To adjourn over from Saturday to Tuesday,	Odell,	252
Relative to the dam across Deer creek, in Carroll county,	Goodwin,	281
Relative to school lands in Davies county,	Line,	281
To go into the committee of the whole on House bill No. 167, (the school bill,) No. 157,	Dunn,	282
Directing the State Librarian to return to the House the bill of the last session	Bundy,	282
Relative to the equal assessment of property, including corporation stock,	Frazer,	282
money at interest, and money on hand,		282
To rescind the resolution requiring the orders of the day to be taken up on each		282
day at 2 o'clock, P. M.,		282
To make all applications for divorce the special order of the day at 3, P. M.		282
in the committee of the whole,		282
Relative to levying a tax on dogs,		282
To adjourn from Tuesday evening until Thursday morning, and tendering the		294
use of the Hall of the House to the Whig Convention,	Edmonston,	

Fixing a time to proceed to the election of Judge of the Marion Court of Common Pleas,	298	Mr. Barbour,	298
Instructing the committee of ways and means to make an allowance to E. Browning,	308	Dobson,	308
Inviting the Senate to attend in the Hall of the House for the purpose of proceeding to the election of Judge of the Marion Court of Common Pleas,	308	Morgan.	308
Instructing the committee of ways and means to make an allowance to Lewis L. Brown,	308	Dobson,	308
To adjourn over on the 8th of January, and tendering the use of the Hall of the House to the Democratic Convention,	337	Bundy, Winstanley,	337
Relative to canal scrip, denominated "White Dog,"	338	Wilson,	338
Rescinding the adjournment resolution,	343	Miller,	347
To hold night sessions,	347		
Changing the standing rules so as to provide that the House shall meet at 8½ A.M.,	347	Orr,	
Relative to the prices charged by printers for publishing the delinquent list for non-payment of taxes,	347	Odell,	387
Making inquiries of the Auditor and Treasurer of State,	387	Frazer,	
In relation to granting divorces,	402	Kelso,	
To allow Dr. Matthews the use of the Hall of the House,	411	Kelso,	
Making an extra allowance to the Secretary of State for enrolling clerk hire,	469	Harlan,	470
Relative to the catalogue of the Indiana Asbury University,	479	Johnston of P.	479
To make an allowance to Isham T. Beck,	480	Dobson,	481
Making an allowance to Joseph J. Stretcher,	481	Dobson,	481
Making an allowance to Thomas Eaglesfield,	481	Dobson,	481
To adjourn over to the next morning,	488	Ross of M.	488
To suspend the operations of the resolution fixing the time to adjourn <i>sine die</i> ,	509	Kelso,	509
Convention,	533	Brady,	534

RESOLUTIONS—*Continued.*

## SUBJECT MATTER OF.

*Adopted.*

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*Mover's Name.**Introduced.*

Tendering the thanks of House to the Speaker,	562	Dowling,	562
Changing the rules of the House,	562	Withers,	
Tendering the thanks of the House to the Principal and Assistant Clerks,	610	Rice,	611
Tendering the thanks of the House to the Reporters of the Indiana State Sentinel and the Indiana State Journal,			
Amendatory of the 17th joint standing rule,	613	Bryant,	613
Suspending the operations of the resolution fixing the time for adjournment,	616	Kelso,	616
To adjourn to meet at 6 o'clock in the morning,	622	Dowling,	622
Informing the Senate that the House were ready to adjourn <i>sine die</i> ,	645	Blakemore,	645
	651	Harlan,	652

## RICE, JOHN W.

Appeared and was qualified,	- - - - -	4
Petition presented by,	- - - - -	192
Report made by,	- - - - -	279
Resolutions offered by,	- - - - -	65, 610
Bills introduced by,	- - - - -	114, 180, 285, 386
Motions made by,	- - - - -	69, 74, 140, 192, 348, 359, 431

## RIFNER, WILLIAM A.

Appeared and was qualified,	- - - - -	4
Reports made by,	- - - - -	136, 212-13, 379, 481
Motions made by,	- - - - -	81, 596-7

## RILEY, REUBEN A.

Appeared and was qualified,	- - - - -	4
Petition presented by,	- - - - -	321
Reports made by,	277-8, 345, 404-5, 409-10, 500, 501, 645-6	
Resolutions offered by	- - - - -	64, 146
Bills introduced by,	- - - - -	35, 384
Motions made by,	35, 38, 47, 49, 50, 57, 67, 82, 92, 98, 119, 125, 139, 143, 163, 183, 186, 222, 232, 236, 238, 244, 248, 250, 251, 297, 364, 366, 368, 378, 379, 388, 431, 439, 536, 596, 600, 616, 633, 637, 645, 647	
Added to the committee on enrolled bills,	- - - - -	623

## RIPPEY, MATTHEW

Appeared and was qualified,	- - - - -	4
Petitions presented by,	94, 120, 172, 276, 299, 301, 444, 456	
Reports made by,	- - - - -	197, 477, 501
Bill introduced by,	- - - - -	161
Motions made by,	120, 180, 276, 323, 346, 452-3	

ROSS, NATHAN O. (*of Miami.*)

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	59, 87, 88, 301, 369
Reports made by,	- - - - -	156, 309, 386, 492, 498
Resolutions offered by,	- - - - -	79, 159, 488
Bill introduced by,	- - - - -	285

Motions made by,	70, 91, 100, 104, 106, 107, 158, 204, 206-7, }	
	273, 325, 348, 353, 368, 369, 441, 451, 471, }	
	478, 528, 529, 540, 561, 568, 638 }	

Leave of absence granted to, - - - - - 123

### ROSS, WILLIAM T. (*of Wabash.*)

Appeared and was qualified,	- - - - -	5
Petitions presented by,	- - - - -	150, 193, 370
Report made by,	- - - - -	215-16
Motions made by,	- - - - -	348, 359, 589
Added to the committee on enrolled bills,	- - - - -	445

### ROUSSEAU, RICHARD H.

Appeared and was qualified,	- - - - -	4
Petition presented by,	- - - - -	151
Bills introduced by,	- - - - -	160, 161
Motions made by,	- - - - -	48, 151, 201, 237, 250, 437-8, 506
Leave of absence granted to,	- - - - -	104, 189

### RYAN, TOWNSEND.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	239, 240, 456
Reports made by,	- - - - -	266, 267, 268, 279, 333, 488, 489, 504
Bills introduced by,	- - - - -	99, 284, 342
Motions made by,	- - - - -	163, 507, 573, 626
Added to the committee on benevolent and scientific institutions,	- - - - -	253
Leave of absence granted to,	- - - - -	166

### SHAW, GRIFFIN M.

Appeared and was qualified,	- - - - -	4
Petition presented by,	- - - - -	59
Reports made by,	- - - - -	76, 146, 157, 338
Motion made by,	- - - - -	163
Added to the committee on benevolent and scientific institutions,	- - - - -	253
Leave of absence granted,	- - - - -	106

## SMITH, HEZEKIAH S.

Appeared and was qualified,	-	-	-	-	-	5
Petition presented by,	-	-	-	-	-	455
Report made by,	-	-	-	-	-	503
Bill introduced by,	-	-	-	-	-	261
Motions made by,	-	-	-	-	-	99, 640
Added to the committee on enrolled bills,	-	-	-	-	-	623
Leave granted to withdraw a petition,	-	-	-	-	-	648
Leave of absence granted to,	-	-	-	-	-	134

## SMITH, ISAAC.

Elected Assistant Clerk,	-	-	-	-	-	7
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## SNOOK, HENRY T.

Appeared and was qualified,	-	-	-	-	-	4
Petitions presented by,	-	-	-	-	-	150, 171, 371
Reports made by,	-	-	-	-	-	175, 411-12
Bill introduced by,	-	-	-	-	-	350
Motions made by,	-	-	-	-	-	68, 150, 172, 277, 346

## SPEAKER.

Hon. George W. Carr elected,	-	-	-	-	-	5
Laid before the House the communication of Phineas D. Gurley, president of the board, &c.,	-	-	-	-	-	15
Laid before the House the communication of D. H. Maxwell, President, &c.,	-	-	-	-	-	16
Laid before the House a communication from the Auditor of State,	-	-	-	-	-	32
Laid before the House a communication of the State Librarian,	-	-	-	-	-	36
Announced the standing committees,	-	-	-	-	-	42
Announced the order of business,	-	-	-	-	-	45
Laid before the House the report of the Warden of the State Prison,	-	-	-	-	-	47
Laid before the House the report of the Superintendent of Common Schools,	-	-	-	-	-	47
Laid before the House a communication from the Governor, containing the vote on the subject of Free Schools,	-	-	-	-	-	50
Laid before the House reports from the Branches of the State Bank of Indiana, at Michigan City, Indianapolis, Lafayette, Vincennes, Terre Haute, Madison, South Bend, New Albany, and Bedford,	-	-	-	-	-	52

Laid before the House the report of the Adjutant General, - Announced the committee of one from each Congressional District on a joint resolution relative to the further extension of Slavery," - - - - -	52
Laid before the House report of the Agent of State, - - - - -	58
Laid before the House reports of the Branches of the State Bank of Indiana at Lawrenceburg, Richmond, and Fort Wayne, - - - - -	63
Laid before the House the report of the Visitor of the State Prison, - - - - -	72
Laid before the House the annual report of the State Bank of Indiana, - - - - -	75
Laid before the House the report of the Commissioners of the Sinking Fund, - - - - -	75
Laid before the House the report of J. G. Alvord, - - - - -	85
Laid before the House the report of the Trustees of the Institute for the Blind, - - - - -	86
Laid before the House the reports of the Commissioners and Superintendent of the Hospital for the Insane, - - - - -	93
Laid before the House the petition of James Gallatly, - - - - -	93
Laid before the House a communication from the Auditor of State, - - - - -	103
Announced the select committee on the subject of local legislation, - - - - -	107-8
Announced the select committee on the subject of amendments to the Constitution, - - - - -	108
Laid before the House a communication from David H. Maxwell, President of the Board of Trustees Indiana University, - - - - -	119
Laid before the House a communication from the State Printer, - - - - -	124
Laid before the House a communication from the Trustees of the Wabash and Erie Canal, and their report, - - - - -	140
Laid before the House a communication from the Auditor of State, - - - - -	149
Announced the committee on Manufactures and Commerce, - - - - -	171
Laid before the House a communication from the Auditor of State, - - - - -	187
Laid before the House the resignation of Governor Whitcomb, - - - - -	209-10
Laid before the House a communication from the Auditor of State, - - - - -	225-6-7
Presented the "Temperance Memorial" of ladies of Franklin county, - - - - -	372
Presented the "Temperance Memorial" of citizens of Franklin county, - - - - -	372
Laid before the House a communication from the Auditor of State, - - - - -	391-2

Laid before the House a communication from the Treasurer of State, - - - - -	413
Laid before the House a communication from his Excellency, the Governor, in reply to a resolution of the House, - - - - -	456
Laid before the House a communication from the Secretary of the Board of Trustees of the Institute for the Education of the Blind, - - - - -	468
Laid before the House a communication from the Secretary of State, - - - - -	469
Laid before the House the report of the Indiana Mutual Fire Insurance Company, - - - - -	574
Laid before the House two communications from the Society of Friends, - - - - -	591
Valedictory Address, - - - - -	652-3

### SPENCER, BENJAMIN N.

Appeared and was qualified, - - - - -	4
Petition presented by, - - - - -	273
Reports made by, - - - - -	144, 266, 312
Bill introduced by, - - - - -	162
Joint resolution introduced by, - - - - -	283
Motion made by, - - - - -	259
Leave of absence granted to, - - - - -	393, 485

### STANDING COMMITTEES.

Announced, - - - - -	42
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### STANTON, STEPHEN B.

Appeared and was qualified, - - - - -	8
Petition presented by, - - - - -	275-6
Resolutions offered by, - - - - -	98, 148-9
Bills introduced by, - - - - -	79, 384
Motions made by, - - - - -	79, 80, 123, 143, 280-81, 326, 541
Added to the committee on enrolled bills, - - - - -	623

### STARBUCK, GEORGE C.

Appeared and was qualified, - - - - -	5
Petitions presented by, - - - - -	254, 300, 453
Report made by, - - - - -	89
Resolutions offered by, - - - - -	148, 159-60
Bills and joint resolution introduced by, - - - - -	34, 40, 84

Motions made by, 48, 75, 77, 78, 80, 81, 90, 100, 116, 163, 209,  
254, 287, 294, 300, 311, 420, 628, 629, 630, 633, 645  
Added to the committee on Benevolent and Scientific Insti-  
tutions, - - - - - 253

## STATE BANK OF INDIANA.

Report of Branches of, - - - - - 52,72  
Annual Report of, - - - - - 75  
[For the establishment of new Branches see action on Se-  
nate bill No. 20.]  
James Morrison elected President of, - - - - - 46

**STATE LIBRARIAN.**

## STATE PRISON.

STATE PRINTER.

SECRETARY OF STATE.

Communication from, -	-	-	-	-	-	-	469
Resolution making an extra allowance to the Secretary of State for enrolling clerk hire, -	-	-	-	-	-	-	469
Charles H. Test elected, -	-	-	-	-	-	-	71

## SINKING FUND.

Report of the commissioners of, - - - - - 75

TEST, CHARLES H.

Elected Secretary of the State, - - - - - 71

## THOMPSON, WILLIAM

Appeared and was qualified,	-	-	-	-	-	-	-	5
Petitions presented by,	-	-	-	-	-	-	-	150
Motions made by,	-	-	-	-	-	-	150, 151,	376
Added to the committee on enrolled bills,	-	-	-	-	-	-	-	445

## TREASURER OF STATE.

Communication from,	-	-	-	-	-	-	-	413
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## TRUSTEES OF THE WABASH AND ERIE CANAL.

Communication from,	-	-	-	-	-	-	-	140
Report of,	-	-	-	-	-	-	-	140

## TUTTLE, ENOS S.

Appeared and was qualified,	-	-	-	-	-	-	-	4
Petitions presented by,	-	-	-	-	-	-	-	321, 371
Report made by,	-	-	-	-	-	-	-	502
Bills introduced by,	-	-	-	-	-	-	-	284, 285

## U

## UNITED STATES SENATOR.

Hon. James Whitcomb elected,	-	-	-	-	-	-	-	87
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## V

## VANCE, ARTHUR ST. CLAIR

Appeared and was qualified,	-	-	-	-	-	-	-	4
Petitions presented by,	-	-	-	-	-	-	-	227, 395
Resolutions offered by,	-	-	-	-	-	-	179-80,	219
Bill introduced by,	-	-	-	-	-	-	-	285
Motions made by,	-	-	-	37, 227,	319,	396,	552,	638, 639
Leave of absence granted to,	-	-	-	-	-	-	-	369

## VAWTER, SMITH

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	301, 371
Reports made by,	- - - - -	470, 489, 507, 508, 640 to 644, 648-9
Bills introduced by,	- - - - -	67, 284, 342, 479
Motions made by,	- - - - -	109, 117, 346, 420

## VETO MESSAGES.

On House bill of last session, No. 159,	- - - - -	28-9, 166-7
Proceedings and vote on the above bill,	- - - - -	167-8
On House bill of last session, No. 422,	- - - - -	29-30-31, 168-69-70
Proceedings and vote on the above bill,	- - - - -	119, 170-71

## VOLUNTEERS.

Mr. Blakemore's resolution calling on the Governor for information relative to deductions from the pay of volunteers,	- - - - -	217
Communication from Governor Dunning in reply to a resolution of the House,	- - - - -	457-8
Communication from Gen. Reynolds, on the same subject,	- - - - -	458-9
Letter from Gov. Whitcomb to Col. James P. Drake,	- - - - -	459 to 462

## W.

## WADE, DAVID

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	227, 389, 455
Report made by,	- - - - -	410
Motions made by,	- - - - -	279, 369
Added to the committee on benevolent and scientific institutions,	- - - - -	253

## WEBSTER, ELIJAH A.

Appeared and was qualified,	- - - - -	4
Petitions presented by,	- - - - -	52, 150, 177, 275, 299, 369, 591
Reports made by,	- - - - -	76, 270, 278-9, 407-8
Bills and joint resolution introduced by,	- - - - -	51, 80, 283
Motions made by,	- - - - -	33, 37, 150, 177, 203, 214, 250, { 270, 275, 299, 328, 339, 423 }

## WHITCOMB, HON. JAMES

Elected United States Senator,	- - - - -	87
Resigned the office of Governor,	- - - - -	210-11

## WILSON, GEORGE P. R.

Appeared and was qualified,	- - - - -	8
Resolution offered by,	- - - - -	343
Bill introduced by,	- - - - -	67
Joint resolution introduced by,	- - - - -	127
Motions made by,	- - - 127, 343, 362, 388, 507, 508, 591, 627	

## WINSTANDLEY, JOHN B.

Appeared and was qualified,	- - - - -	4
Petition presented by,	- - - - -	126
Reports made by,	- - - - 190, 276, 305, 463, 561	
Resolutions offered by,	- - - - -	54-5, 147, 338
Bills introduced by,	- - - - -	113-14, 161, 340
Motions made by,	- - - 72, 100, 104, 126-7, 207, 335, { 341, 382, 506, 532, 600, 633 }	

## WITHERS, JAMES R.

Appeared and was qualified,	- - - - -	5
Report made by,	- - - - -	271-2
Resolutions offered by,	- - - - -	66, 78, 178, 562
Bills and joint resolutions introduced by,	- - 66, 113, 284, 341, 623	
Motions made by,	- - - 33, 80, 116, 202, 244, 259, 326, 331, { 368, 375, 506, 549, 574, 600, 623 }	

## WOLFE, BENJAMIN

Appeared and was qualified,	- - - - -	5
Reports made by,	94, 109, 135-6, 212, 234-5, 272-3, 330-31, 482, 610	
Resolutions offered by,	- - - - -	36, 148
Bills introduced by,	- - - 35, 66, 90, 160, 162, 286, 342, 350	
Motions made by,	- - 6, 10, 37, 48, 69, 82, 92, 101, 105, 152, 165, { 185, 198, 203, 224, 252, 257, 270, 314, 315, } 330, 340, 343, 383, 421, 431, 433, 434, 435, } 449, 451, 509, 536, 538, 539, 541, 442, 550, } 556, 574, 593, 598, 601, 623, 630, 635, 638, 647 }	
Added to the committee on enrolled bills,	- - - - -	623
Leave granted to withdraw a bill from the files,	- - - - -	648

## WOOD, ISAAC F.

Appeared and was qualified,	-	-	-	-	-	-	-	5				
Petitions presented by,	74,	120,	239,	254,	275,	287,	301,	396,	454,	609		
Reports made by,	-	-	-	-	-	-	273,	337,	344,	411,	503	
Resolution offered by,	-	-	-	-	-	-	-	-	-	217		
Bill introduced by,	-	-	-	-	-	-	-	-	-	161		
Motions made by,	-	-	-	-	-	-	85,	202,	287,	454,	567,	646

Y.

## YOUNG, ALEXANDER M.

Appeared and was qualified,	-	-	-	-	-	-	-	4
Bill introduced by,	-	-	-	-	-	-	-	284
Motion made by,	-	-	-	-	-	-	-	105

## A D D E N D A .

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In setting up page 246, an error occurred. Lines commencing with the 20th line from the top, and running to the 12th line from the bottom, ought to have preceded the head "Orders of the Day," on that page.

Page 67, ninth line from the top, for "Burnes" read *Barnes*.

Page 158, line 16, for "Bloomington" read *Blooming Grove*.

Page 267, for "Dougherty of Boone" read *Dougherty of Morgan*.

Page 284, in Mr. Decker's bill, for "speculators" read *supervisors*.

Page 285, add after House bill No. 233, (introduced by Mr. Harlan,) the following: "Which was read three several times, the rules having been suspended therefor, and passed; ordered, that the clerk inform the Senate thereof."

Page 303, after the 7th line, add, "From the county of Decatur—James Morgan."

Page 304, after the 11th line, add, "From the county of Perry—Robert G. Cotton."

Page 319, last line, for "adopted" read *accepted*.

Page 355, line 7, for "168" read "148," and line 17, for "Monroe" read *Morgan*.

Page 418, *ayes and noes*, the name of Mr. ALLEN should only appear in the *negative*.

Page 419, first bill in Senate message, for "106" read "107."

Page 426, in bill No. 283, for "Knox" read *United States*.

Page 448, in bill No. 101, for "committee" read *commissioners*.

Page 478, line 32, after the word "term" in Mr. Kelso's amendment, add the word *time*.

Page 483-4, *ayes and noes*, the name of Mr. FORD should *only* appear in the *negative*. The names of Messrs. GESSIE and KELSO, which are omitted, should appear in the *affirmative*. The names of Messrs. FRAZER and KELLEY should *only* appear in the *negative*.

Page 504, in Mr. Donnohue's report, for "re-valuation" read *reduction*.

Page 526, in bill No. 332, for "Rochester" read *Rockville*.

Page 534, line 15, for "Wilson" read *Miller*.

Page 570, in Mr. Kelso's report, for "Alvin" read *Oliver*.

Page 620, in bill No. 171, for "enrolments" read *emoluments*.

IN THE INDEX.

Page 715, add, in the column headed "Passed House," the figures "220," opposite Senate bill No. 133.

Page 720, add, in the column headed "Passed House," the figures "558," opposite Senate bill No. 215.



















